# THE BRITISH JOURNAL OF DELINQUENCY

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## EDITORIAL

The title chosen for this *Journal* has called forth a protest from a foreign correspondent, who maintains that the term ' delinquency ' is too closely identified with the misbehaviour of juveniles. Why not, it is argued, call a spade a spade and use instead the plainer word ' crime ', indicating thereby that the conduct in question is socially reprehensible. The issue, however, is not simply a linguistic one; or even merely ethical. It raises the further question whether it is desirable to establish a clearer social distinction than at present exists between ' pathological crime ' and ' ordinary law-breaking '. And although, etymologically speaking, there is not much to choose between the various terms for anti-social or dissocial behaviour, it has seemed justifiable to use that equivalent which has the least prejudiced associations. Moreover, it cannot be regarded as inconsistent of a body such as the I.S.T.D., one of whose main contentions is that pathological crime can be traced to infantile and juvenile factors, both individual and social, to encourage the wider use of a term that has already recognized associations with juvenile behaviour.

At the same time we are well aware of the danger that the term delinquency can itself be reduced to absurdity by making excessive use of the powers granted under the Juvenile Delinquency Acts. Enlightened as were the aims of this legislation, there is no doubt that the Acts can be used to invoke, if not the majesty, at least the machinery of the law, not only for peccadilloes, but for minor delinquencies that might be dealt with more appropriately by familial, educational and other institutions. Even psychiatrists and social workers are liable at times to employ a battery of technical procedures for cases that require a simpler common sense or less artificial forms of support. Apart from the necessity of protecting the community from too extensive or even undesirable interference on the part either of psychiatry or of penal law, there are many practical reasons why the services

of delinquency clinics should be reserved for purely pathological cases and the resources of criminal law restricted to such cases of law-breaking as are not likely to be amenable to other social measures.

Considerations of this kind lend a special interest to Judge Muller's article (p. 85 *et seq.*), which maintains in principle that crime occurring in otherwise normal groups can sometimes be effectively handled by and within the group without invoking the authority of the master-group or state. Whatever the juridical issues that may arise, and obviously such a system is open to certain objections, it has the merit of deflecting from the channels of penal law a stream of non-pathological offenders.

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The hope may be expressed, however, that readers will not confine their correspondence to terminological items such as the title of this *Journal*. As shown in the letter printed on p. 153 from a member of our Editorial Board, there is no lack of highly controversial issues in the field of Criminology which should be fully and frankly ventilated from different angles in our columns. To refer only to the Indeterminate Sentence: in addition to some casual references to this towards the end of the eighteenth and in the middle of the nineteenth centuries, it has been under constant discussion at least since the first meeting of the American National Prison Association in 1870. It was on the Agenda of four of the International Penal and Penitentiary Congresses, and it is not without interest to recall that at the time of the Brussels Congress of 1900 one of the American delegates prophesied that to dislodge the fixed sentence would prove as difficult as the task of removing Gibraltar.[1] American penological thought has always been more favourable to the Indeterminate Sentence than has European ideology, and some forty States of the U.S.A. now employ it in some form.

In England, where it is part of the Borstal and Approved School systems, it has not yet been extended to sentences of imprisonment, except those imposed on juveniles found guilty of murder. The power given to the Home Secretary by the Criminal Justice Act, 1948, to release on licence ' at any time ' a prisoner sentenced to a fixed term of Preventive Detention or Corrective Training might, however, if fairly extensively used, produce results similar to those of the Indeterminate Sentence. It would seem to be of considerable practical and scientific interest to ensure that the manner in which this administrative power is exercised in coming years, and the results of its application should be closely observed and so provide material for an assessment of the value of this system as compared with that of the judicial Indeterminate Sentence. It may not be inappropriate moreover to

[1] Quoted in Teeters, " Deliberations of the I.P.P. Congresses," p. 106.

refer in this connection to the Report of the Advisory Council on the Treatment of Offenders on the treatment of mentally abnormal offenders briefly commented upon in our notes below.

While the Editorial Board as a corporate body does not at present wish to express any opinion on the subject of the Indeterminate Sentence, it would be pleased if Dr. Glover's letter stimulated an exchange of views between readers of the Journal.

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One of the most encouraging discoveries made at the I.S.T.D. Summer School at High Leigh, described in some detail in this issue (p. 150), has been the eagerness of many practical workers in the institutional and non-institutional treatment of juvenile delinquency to do some research whereby the material and the experience acquired in their daily work could be made more useful to themselves and to their fellow-workers in the common interest.

The various steps taken last year by the Home Office and the Ministry of Education in calling for action by local authorities, for the formation of local committees and the holding of local conferences, together with the Conference on the scientific study of juvenile delinquency held at the Royal Institution in London on October 1, 1949, have greatly stimulated interest, not only in the practical, but also in the scientific side of the problem. At the same time, however, discussions at the Summer School have confirmed the view already held in competent quarters that the existing enthusiasm, though an indispensable pre-requisite, is not in itself sufficient to justify the expectation that worth-while results will be achieved. There is an urgent need for more guidance to prevent waste of energy and of money.

The principal difficulties so far encountered and fully ventilated at High Leigh are, first, the prevailing lack of time for any extra work that might be needed for careful planning and for the analysis of the collected data; and, secondly, lack of the specific experience required for the scientific planning of research and for collecting and analysing the material. Numerous though the problems calling for further investigation are, it is not always easy to determine which of them could be most appropriately tackled in a specific locality and by a specific group of workers; and even when the nature of the problem to be investigated has become sufficiently clear the technique to be employed, the size of the research unit and the qualifications of the personnel needed may be far from obvious.

As has been stressed at High Leigh, members of the scientific staff of the I.S.T.D. are only too willing to assist local groups with advice; and space

for the discussion of the difficulties encountered in researches of this kind will readily be given in this *Journal*.

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Perhaps one of the most vexatious problems which bring law and psychiatry into conflict is the concept of partial insanity, or the notion of uncontrollable impulse in persons not otherwise regarded as insane in law. The term 'insanity' is a legal term and the word 'partial' must therefore be viewed as qualifying a legally determined definition of a mental state. The expression 'uncontrollable impulse' is entirely psychiatric in its connotation; hence the question of responsibility arises only when the physician steps out of psychiatry into the field of morals if not of law. Even so it is the law, not psychiatry, which must decide on penal sanctions.

The recent discussion by the International Penal and Penitentiary Congress has raised this issue in a somewhat different form. The debate revolved around the concept of partial responsibility. It was argued, by M. Ferrani, explaining the Italian Penal Code, that the Courts could consider crime committed in alcoholic crises or by deaf mutes as having been performed by offenders with limited will and comprehension at the time of the offence; and that feeble-mindedness would also imply limited will and understanding. In the Italian system the recognition of partial responsibility involves variations both in the necessary security measures and in the penal measures adopted. It was admitted during the discussion that a high degree of subjectivity might affect any decision as to the amount of responsibility; and that therefore a psychiatric opinion was necessary in certain cases in order that the problem might be viewed in the light of objective clinical experience.

Once the courts have decided that psychiatric factors are involved, the question of removal to a prison hospital for mental disorder arises. But because of the factor of partial responsibility the degree of punishment remains a problem. Here arises the key dilemma. If the crime was committed by the psychopathic moiety of the personality, is it the intact portion which is subject to this modified punishment? In short, the concept of partial responsibility is psychiatrically untenable and logically meaningless. It has been suggested that the penal part of the decision should be given effect before the treatment for the psychopathic state is carried out. This reduces personality study to the investigation of dissociated elements. Such a conception may be excusable in law, but it is meaningless in ethics as well as in psychological medicine. Mental disorder in a human subject is one and indivisible and the discussion at the Congress merely illustrates the dilemma of Law *versus* Psychiatry made more insoluble by the concept of partial responsibility.

# THE GROUP FACTOR IN CRIME AND PUNISHMENT[1]

By DR. N. MULLER (AMSTERDAM)

With a Commentary by H. MANNHEIM (LONDON)

## I. CRIMINAL JUSTICE ABANDONS ITS ISOLATION[2]

Formerly administration of justice followed these simple lines: the judge sat on the Bench and administered justice, the convicted offender went to prison. The offence had its social origins and the sentence had its social consequences, but the judge was concerned with neither of these aspects.

A fundamental change has taken place in this field. The judge has now entered into the social situation. His verdict is based on an enquiry into the social and personal causes of the illegal act, and he can take these findings into account in his final judgment. Penal jurisdiction has established the fullest contact with society and so become liberated from its isolation. This situation has existed in Holland for the last thirty years, with very satisfactory results.

The question remains: granting the merits of the probation system, have we discovered the whole truth regarding the many problems involved? Is it possible that we have till now taken too individualistic a view, that we have regarded the individual as the sole originator of the offence, thereby neglecting the group in which the evil may have its roots? To answer these questions we must re-examine the facts. Criminal statistics are too colourless for this purpose. In view of the greater and more clearly defined criminality that has arisen during and after the war, we should be able to test our opinions in a wider field of investigation. We may find that in a number of cases the mere membership of a certain group may drive to crime people who neither in character nor in environment differ from others. We may find that the guilt lies with the group. If this be the case we must look for new ways and means of influencing the group, instead of the individual educational methods hitherto employed. Punishment and guidance must be used to prevent the Group acting as a breeding ground for criminality.

[1] This is an abridged version of articles freely translated by A. D. K. Brantenaar from the *Maandblad voor Berechting en Reclasseering*; with acknowledgements to the Social Research Committee of the London School of Economics which provided a special grant to finance the translation, to Dr. Muller, and to the *Maandblad* for their permission to publish.

[2] *Maandblad voor Berechting en Reclasseering*, January, 1947.

A. *Some Facts Concerning the Criminological Situation*

(1) *The Amsterdam Power Company: Theft of Electric Power and Gas.*[3] Many inhabitants of Amsterdam obtain electrical power and gas by making an illegal connection, often by a technique which requires the boring of a small hole in the meter. The aim is to evade the rationing regulations or payment. The fraud division discovered 1,200 such cases of power theft within a year and a half after the war. Obviously the number of undiscovered cases is considerable. Only in 120 cases could the offenders be prosecuted: the illegal connection in itself, although proving with certainty that power has been used fraudulently, is in the strict sense no legal proof. Consequently, only about 5 per cent. of the offenders were brought to justice as even in some of the 120 cases proceedings were actually not carried through or no convictions followed.

The development and spread of this unlawful practice is not difficult to analyse, since the ' hole in the meter ' method is new. We do not, in the beginning, find a number of isolated individual cases; the practice spreads within compact units and groups of society, e.g. families, friendly groups, streets and urban communities. It originated on one side of the ' Y ' (a broad water dividing the city of Amsterdam in two), namely on the side which is mainly inhabited by lower wage earning classes, and was for a time restricted to that side. Suddenly it sprang up on the other side too, and spread like an infectious disease. The fraud squad, instead of merely acting in individual cases, had to investigate whole streets or follow clues in families and in their circles of friends.

*Precept and example amply accounted for the spread of the offence, and by precept and example—apart from punishment—the counter offensive must be carried out.* 'The offenders were for the greater part ordinary people, with a mere sprinkling of real a-social types. Neither obvious subnormality nor a-social behaviour, nor previous convictions could be established. Only a tendency to belittle the criminal nature of the practice appeared to be characteristic of these otherwise perfectly ordinary people whose petty offences, by sheer weight of numbers, developed into a serious evil.

(2) *Theft of money from meters in Amsterdam.* Unlike the statistics in the foregoing case, Table I is complete as all meters are controlled at some time or another and every theft is discovered and registered by the inspector.

In contemplating the trend, we see before and after the peak in 1934 a permanent level of 80 per 10,000 meters, which was apparently the point of saturation. Like an epidemic, the practice spread and especially affected

[3] Data supplied by the Amsterdam fraud division and from my own experiences as practising magistrate.

TABLE I [4]

| | A | B | C | D |
|---|---|---|---|---|
| 1928 . . | 757 | 156,707 | 48 | 52 |
| 1929 . . | 1,034 | 163,394 | 63 | 40 |
| 1930 . . | 925 | 168,676 | 55 | 79 |
| 1931 . . | 1,185 | 171,773 | 69 | 69 |
| 1932 . . | 1,154 | 178,412 | 65 | 66 |
| 1933 . . | 1,054 | 182,292 | 83 | 87 |
| 1934 . . | 2,042 | 189,238 | 108 | 120 |
| 1935 . . | 1,974 | 198,155 | 100 | 115 |
| 1936 . . | 1,779 | 103,014 | 88 | 155 |
| 1937 . . | 1,772 | 205,329 | 86 | 139 |
| 1938 . . | 1,711 | 209,490 | 81 | 161 |
| 1939 . . | 1,491 | 212,294 | 70 | 114 |
| 1940 . . | 1,054 | 214,688 | 49 | 96 |
| 1941 . . | 1,090 | 216,475 | 50 | 94 |
| 1942 . . | 1,059 | 217,190 | 49 | 85 |
| | 20,531 | | | 1,472 |

people who, by character or because of material circumstances, had the least resistance. Have we got to deal here with a vast number of individual offenders or is the whole group the culprit?

A limited number of the offences are committed by ordinary thieves; belonging to the same class as bicycle or car thieves, they wait for the absence of the inhabitants to enter the house and forcibly open the meter. These types of offender can be dealt with individually by punishment or probation and consequently do not concern us here.

As for the other offenders, who are in the vast majority, the group must again become the focus of our attention. While some come from markedly a-social backgrounds, the greater number again consists of ordinary citizens, probably a mere shade lower in status than the offenders in the case of power theft. They usually live in modest but certainly not appalling circumstances and seem to have no great objection to this kind of petty theft within their own homes.

From 1928 to 1942 altogether 1,472 summonses (only 7 per cent. of the cases) were issued; and of these only a limited percentage (figure not known) led to legal prosecution. Consequently about 95 per cent. of the offenders and probably more got away with it. Nevertheless, even this limited number of prosecutions had, in the view of the fraud squad, an

[4] A = total number of thefts from meters.
B = total number of meters.
C = number of thefts per 10,000 meters.
D = number of cases in which the Police took proceedings.

effect which is indicated by the decrease in the figures of our table. In any case, during the period 1935 to 1939 no improvement occurred in the general social and material conditions which could explain the decline. The spread of the offence among the lower levels of the population, and, after the beginning of rationing, among the better-off sections as well, would go to show that group resistance against this offence is comparatively small.

(3) *Port Thefts, etc.* In Amsterdam 80 extra police were appointed to deal with these offences. As a result, 400 cases of theft were discovered in three months. Among the port and dock workers stealing was generally considered a minor offence. From a ship that was being overhauled thefts occurred in a few months to the tune of £500. The situation is gradually improving, however. The extent to which the mentality of a group may lead to crime is illustrated by a plea from a man who was accused of theft in the postal services. He stated that ' when he was posted to the postal department, goods were stolen by the personnel on an extensive scale; those who did not take part in this practice were met with general distrust.' In another post office, the workers decided after the war to discontinue these practices and matters improved. However, new personnel arrived, consisting for the greater part of men repatriated from Germany, where they had been sent as prisoners of war or employed as slave labour. These people were still infected by the degraded moral standards of wartime Germany; moreover, they had to cope with housing and monetary difficulties. Following their arrival the repentant workers resumed their illegal practices.

Although most of the examples given here concern Amsterdam, they should not be regarded as representative exclusively of this or any other big city. An investigation was made in an industrial centre in the Eastern part of the country where industry is rather scattered and no typical ' large city atmosphere ' exists. The houses of fourteen labourers selected by the management were searched, and in every single one of them stolen goods were discovered. Estimates from private sources in Amsterdam about the numbers of offenders differed vastly, but all were disquietingly high. In one case only 30 per cent. were regarded as reliable; while the number of actual pilferers was estimated at 20 per cent.

Witnesses in court actions, such as personnel managers, supervisors and inspectors, never discussed a case from an individual angle but always referred to the problem of dishonesty in their establishment as a whole. Groups or even the whole personnel were often involved in the offences. There is no trace here of any particular need, of great poverty, or of other individual causes of delinquency, nor any trace of guilty conscience after the deed. Theft in such groups constitutes an integral part of the popular code of behaviour. Generally speaking, the group of older pre-war personnel

shows greater reluctance to offend than the newly employed, the latter being usually younger people on whom deteriorated war-time mentality exerts its greatest influence. In only one factory did this distinction not exist: there the older group was also considered unreliable. In this case the whole labour force was drawn from a comparatively ill-reputed class of the population. The percentage of newly employed personnel in industry is high; apart from that, a new labour force has a quicker turnover. One factory had only 100 old hands out of 460.

## II. THE PROBLEM OF PUNISHMENT

The penal law, as we have seen, is applied only to a small minority of such offenders. Managements deal with many cases themselves by imposing factory fines or by dismissal. Modern penal law seems to concentrate entirely on individual treatment. In principle, we agree with this course, but it seems dangerous to ignore the part which punishment and education should play in the case of specific groups and masses of the population.

In the cases under discussion we are concerned with ordinary people in ordinary circumstances. No immoderate drinking, no gambling, no great extravagance, no particular lack of morality can be discovered, nor presumably any psychopathic traits or mental aberration. Strenuous efforts at individual rehabilitation would be regarded as slightly ridiculous or scarcely natural. Nevertheless, they steal. Punishment is painfully ineffective since, as we have seen, it only reaches 5 per cent. of the offenders. Our conclusion in the case of mass offences must be: efforts at individual rehabilitation are senseless. Our reference to group criminality does not mean that the individual should not be held responsible: a not inconsiderable proportion of the group resists temptation. Nevertheless, the origin of the offence as well as the question of treatment demand research into the group element.

Punishment should be estimated in terms of its influence on the group and on its moral sense. The education of the group is also important. It is imperative that a judge should realize the great problem that looms behind the petty offender making his first appearance in Court. It would be only too natural to dismiss the accused with a light sentence; the problem under discussion, however, requires a deep insight into the background and impulses responsible for the offence. The first difficulty that a judge faces is the lack of an adequate legal punishment for offences which are committed, not by professional wrong-doers, but by ordinary people. A moderate fine has little effect on those who are hardly aware of the faultiness of their actions. Sometimes a certain amount of money is even saved by offenders to cover possible fines. Too often the fine is felt as just another monetary loss due to bad luck; it does not arouse any feeling of guilt.

There remains one possible course, namely, imprisonment, which is, however, obviously too severe. Another form of detention might be suggested which lacks the harshness and the social stigma of imprisonment, but by restricting the freedom of movement of the culprit still expresses strong public disapproval of his action.

The development of punishment intended to influence the group is still in its early stages. It needs in the first place to be publicized. A publicity department should be attached to the judicial administration to advertise inflicted penalties for educational purposes among the groups concerned. The Amsterdam Power Company has already enlisted the help of the press in publishing the cases of prosecution—without mentioning names—and on occasion the press has seen fit to take the initiative in this direction. The help of a regular publicity system including national and provincial press as well as radio and personal contact is, however, necessary. On the other hand, the judiciary should be kept informed of the character and spread of the evil they have to cope with.

As in the case of offences of a strictly individual character, punishment has to be supplemented by educational procedures. On the other side, education must be accompanied by the threat of punishment which may be remitted in the case of improvement, but which is always the basis and background of the whole system. Such a combined system of punishment and education, especially applied to the group, would present particular difficulties in the case of mass thefts of electrical power. Fairly severe punishments should arouse some fear but also a readiness to think the matter over, and to realize the unlawful and immoral character of the offence. However, the vast group of consumers of electrical power is diffuse and therefore difficult to approach, while an approach through radio and press may lack intensity owing to its very general character. The 189,238 consumers might however be approached through notices on all meters or bills. Special measures could be undertaken in ' infected ' streets or boroughs, which again might appeal to the pride of such a limited community and secure its co-operation.

An example on a smaller scale is afforded by the factory. While punishment cannot be dispensed with so long as no mass educational measures for the group are available, it has not proved satisfactory for the suppression of mass offences. Publicity may improve upon this, but group education seems to be the most important factor and we have here the considerable advantage that the factory population, unlike the vast body of users of electrical power, forms a compact group with which an intensive contact is possible. A point of primary importance is the sentiment of the worker towards the establishment.

It is interesting to draw conclusions from the ' Hawthorne Experiment ', a research experiment into the conditions which influence the productivity of labour. It was undertaken in one of the great factories of the Western Electric Company in the United States of America in 1927. A small number of employees was chosen as an experimental group, consulted extensively and submitted to several experiments. The aim was an analysis of the employee motivation; that is to say the forces and motives that define the actions and sentiments of the worker. The outcome of the experiment was remarkable—no definite result could be agreed upon; the material conditions seemingly in no way influenced the productivity of labour. It was only later that the real meaning of this research dawned upon the investigators; the material conditions had without doubt their significance, but psychological factors were predominant. The very treatment of the experimental group had deprived it of all its value as a test unit. The amount of trust put in the members, the importance attached to their opinions had resulted in an increased and very personal feeling of being closely tied up with all the interests of the factory; they had acquired the so-called ' we '-feeling which is of paramount importance for their productivity. Accordingly, they voiced their opinions frankly about the different material conditions, as tried out, but their actual performances did not vary on the occasions of the different experiments.

Enlarging on this experience we can say that *industry will clear itself from mass thefts as soon as its labour population begins to acquire a personal interest in and affection for the factory*. Another method of treatment, which has been tried out in Dutch factories, and which is based on a purely materialistic approach, has not proved successful. This method consisted of the distribution of a certain quantity of the desired goods free or at a moderate price. Moreover, our observations tell us that while the practices of petty offences prosper, a personal feeling towards the employing factory is practically non-existent.

In the long run a democratic popular educational policy in industry will go far to improve the atmosphere, and will consequently lead to a decrease in the number of thefts, as long as the persons concerned are not potential or actual professional thieves. Once a certain amount of solidarity has been achieved, the management can confer with representatives of the workers and come to an agreement about the measures to be taken. A representative workers' committee can at once exercise an influence to the good, and eventually it may even be competent to take part in dealing with the offences, from which penal jurisdiction would then withdraw.

Not all of what we have been saying here is mere theory; it has been for a long time the concern of efficiency experts. From the factories, too, there

come signs of the development of interest in these matters. The workers' committees often realize the significance of the problem very well. Two examples go to show this. In the first case, the workers' committee of an Amsterdam factory had asked the management to leave it to the factory organs to deal with the offences without the intervention of the outside legal authorities. This had been granted. When the committee afterwards found that the situation could not be coped with and that, for reasons which no one could trace, in fact the number of thefts increased, it revised its attitude, withdrew its plea and appeared to realize that the law must take its ordinary course. This attitude originated on the one hand from loyalty towards the factory and on the other from the resentment of the honest workers against the growing suspicion and security measures.

Apart from the importance of fostering feelings of loyalty in the factory, another consideration suggests the need for the handling of irregularities from the inside without calling in the law, namely, the more effective treatment that can be administered. Very few cases ever come before the judge; the management seldom report the incidences of offences, while the workers even more seldom betray each other. Nevertheless, among the employees it is usually widely known what is going on. These mass offences could easily be stopped if only the conscience and loyalty of the labourers as a whole could be successfully stimulated.

The essence of our suggestions is to transform the inter-relations between measures and pressure on the one hand and resistance and theft on the other side into an atmosphere of trust in which the co-operation of the entire labour population can be sought for the suppression of delinquency. The present methods of external controls are incongruous in such an atmosphere. The resented policy of personal search, which may lead to an evasive mentality, has been mitigated. Total abolition being still out of the question, as search is still practically the only check on theft, a system which limits search to a small number of persons taken at random out of the crowd is now being developed. Still the searching practice is not in accordance with our views because it represents a suspicious attitude towards the whole labour population and tends to decrease labour productivity.

It is not hard to visualize the possible co-operative efforts of the penal jurisdiction—how it may retreat if management and workers' committees collaborate in suppressing crime, which concession would add to the goodwill and prestige of the latter. Then, interference may be necessary again when the loyal forces need temporary reinforcement. Finally, when pronouncing sentence, the interest of the factory as a unit may be promoted by putting probationers under the supervision of the workers' committee, or of one of its members.

We have endeavoured to describe two vastly different kinds of delinquency which, however similar they appear to be outwardly, originate from altogether different causes: one has its roots in the mentality of the group, the other in mainly individual motives. Both require a combination of punishment and education or moral training, with as much stress on the latter as possible under the circumstances. Nevertheless, we have to assume a different attitude towards these two different kinds of delinquency. In the cases where the offence can be traced back to individual motives, probation, individual guidance and the application of individual psychology are irreplaceable. For the other kind of delinquency it is the mentality of the group that should be influenced: by punishment of the transgressor – punishment with an effect on the whole group – but preferably and as often as possible, by moral training of the group and an effort to win its co-operation. In such cases the purely individual system of probation lacks effect.

The problem whether in certain cases punishment should be imposed on the group as a whole is altogether beyond the scope of this article. Where reference is made to punishment as a means of group treatment we mean punishment applied to the individual transgressor but intended to influence the whole group at the same time.

## III. FACTORY COURTS[5]

We have emphasized that as a rule the offenders in factory theft cases are ordinary decent people and also that, notwithstanding the spread of the evil, there are still numerous workers who are fundamentally honest. It is on this basic assumption that we propose to interest the fundamentally decent group in their factory and its success by having them take part in the extermination of theft.

We must find a method that at the same time benefits the industry and is acceptable both to employer and employee. *We would be inclined to consider the institution of factory courts, combining in them the viewpoint of employer as well as employee, as an adequate means to our end.* They may give the employee the feeling that his co-operation is sought after and that he is not just the object of penal measures. Secondly, the factory courts may bring the workers to believe in the just administration of factory punishment. Judgment and sentence by a factory court will be more easily accepted and justified than punishment by an official external court. The latter type of punishment is bound to frighten, but will not convince the culprit, indeed, will often make him take better care not to be found out.

The committee, we think, should consist of three members, one appointed by the personnel from its own ranks, one by the management from either

[5] *Maandblad voor Berechting en Reclasseering*, April, 1947.

group, that is employee or managerial official, and a third one by mutual agreement between both groups. This committee would investigate cases as reported by the personnel, or by the management, should the latter also be willing to submit those actually detected to judgment by the factory court. The enquiry should follow ordinary judicial lines, but where possible avoid formalities. The power of the factory court must lie in its direct approach; the factory has, as it were, to confer and to come to a conclusion with itself. All bureaucracy should be ruled out and no sworn evidence taken. The accused tells his story to the factory court and hears its judgment: neither counsel nor any other defenders or go-betweens appear. Finally, the committee gives the verdict and decides on punishment. Punishment, together with the reasons for it, must be publicly announced in the factory. The range of possible penalties, including fines, should be agreed upon beforehand. The question arises whether the employer will consider himself bound by the verdict. This is a prerequisite for the success of the scheme. Probably in the beginning judgment will be only advisory. Some cases will still have to be referred to the official courts. The accused may, for instance, not be willing to appear before the factory court: obviously lack of personal contact would invalidate the whole method. The accused is also entitled to demand the hearing of an official court. Thirdly, in doubtful cases official courts, having better methods of investigation, will prove necessary. Moreover, the factory penalties may prove to be too light or inappropriate to the occasion. Finally, the accused may turn out to be a professional thief, in which case any judgment by a factory court, which is only meant for action against so-called group delinquency, would be wholly unsuitable. Such an individual must be brought before an official court which can deal with him in the ordinary way.

So much for the problems of organization. One can conceive a development by which a factory court gives its attention to offences other than theft which obstruct production and spoil the factory atmosphere. A close connection may be established between the factory court and the social work-unit. Simple measures of rehabilitation may be undertaken.

One of the virtues of factory courts is their expert knowledge of situations and conditions. The main issue of guilt is usually quite simple; while as far as social background is concerned the committees will always be thoroughly conversant with the situation. Hence their judgments will be eminently practical. Take the case of the workman who explained his misbehaviour to the magistrate on the ground that he resented being stuck in a specialized department where his skill was urgently required, while younger unskilled men had passed to other departments where the wages were considerably higher. An official enquiry, although not fully bearing

out the statement, found a certain amount of truth in it. In such a case the factory court would quickly have agreed upon the merits of the case and taken them into account in their judgment. Very probably they might have made it the subject of a recommendation to the management regarding organization.

The procedure whereby employees share in these advisory and other functions of industry should prove to be the key to the success of the scheme. Successful co-operation in the combat against theft should be based upon trust arising from this newly-acquired interest. Co-operation in the sense that the employees report cases to the management, only to see them referred to the official courts, would seem to us unthinkable and improper. The most essential point is to develop a form of co-operation in which the employee takes part in the discovery as well as in the whole procedure of enquiry and sentence and so mobilize qualities of honesty and good will. By replacing external punishment, which is never wholeheartedly accepted, it abolishes friction leading to dishonesty and inertia in work.

## IV. SENTENCES FOR INDUSTRIAL THEFT[6]

In the case of the individual offender, the causes of the offence may lie in personal hardships or mental trouble. These instances can appropriately be dealt with by measures of help and guidance. This, of course, is the idea behind the probation system.

A different approach is required for offences where personal motives are altogether absent. In Amsterdam, an experiment was recently launched along the lines suggested above. In a big factory a workers' committee was formed which has published an attack on theft in the factory newspaper, condemning it as unworthy of the labourer. When instances of theft come to its notice, the person or persons concerned are rebuked and warned by the committee. It is fairly common knowledge among the workers which of their fellow workers are involved in irregularities and which are not. The information the committee receives is acted upon there and then but goes no further. Official authorities and even the employer are excluded: the committee is not an instrument of the law, but it guards the honour of labour and deals with lesser offences directly. When, however, the offence is repeated the committee takes no further responsibility. This commendable activity on the part of the workers is, of course, encouraged by a certain amount of leniency from the management. The system has functioned for some time but it is difficult to test the actual results. Nevertheless, the number of offences detected by the management was halved in the course of 1947 (the committee entered upon its activities in January, 1947). This fact

[6] *Maandblad voor Berechting en Reclassering*, March, 1948.

may be due partly to the ordinary penalties imposed by the law, and partly to a fall in the trend of group criminality in that year. Still, there seems to be no doubt that the committees' activities have contributed to the improvement of the situation, and this has been confirmed by observers within the factory.

A further step was taken in February, 1947, by the present writer in his capacity as the Amsterdam police court magistrate. Twenty-three labourers were brought before him from the same factory accused of petty theft. These had not been dealt with immediately after the discovery of the theft, but had been allowed to accumulate, thereby providing an opportunity for an experiment in group treatment by penal jurisdiction. The serious cases, i.e. those of recidivism and those in which warnings had already been given by the factory supervisors or by the committee, were sentenced in the ordinary way to unconditional imprisonment of respectively one month and fourteen days. The others were addressed as follows by the magistrate:

> ' I know that, apart from the acts which brought you here, you behave like, and in fact are, decent people. As far as theft is concerned the situation in your factory has improved throughout the last year. Furthermore, I know that a committee has been formed among you which condemns thefts and tries to fight it. This action demands respect and even support and it is partly for that reason that I will give a chance to eleven of the guilty men. You know that almost invariably terms of imprisonment, though not very long ones, are imposed upon the offenders in these cases, which of late have been very frequent indeed. You all must admit that you deserve punishment. Because of my respect for the work of your committee I will give you the following chance. I will postpone my decision for a few months and after that period, I will enquire into the situation in the factory. In the event of a satisfactory development, i.e. a decrease in the number of thefts, I will then take a favourable decision. What this favourable decision will be like I cannot tell you yet. I hope that the other workers in your factory will realize the consequences of this arrangement.'

Of course, this address was meant, not only for those present, but also for the whole factory population to whom a chance was given to do something for their fellow workers. From the viewpoint of penal jurisdiction an attempt was made to influence the whole group, this time not by the usual means of punishment but by an appeal to the co-operation of the workers themselves, as a consequence of which the punishment might wholly or partially be withheld. The justification for this course lies in the possibility that a greater effect may be achieved by less painful means. It is also in accordance with the rule that punishment may be determined in the light of what is known about the background of the offence. The judge, taking the improvement in the factory into account, is free to exercise clemency, which is as satisfactory to him personally as to everyone else concerned.

The guilty worker, of course, profits; the condition is full co-operation of the other workers.

Was that full co-operation forthcoming? The first signs were positive: committee and workers reacted favourably to the decision. The committee commented upon the proceedings in a factory paper and urged the labourers to co-operate. Evidently the eleven guilty workers were good propagandists as well.

## COMMENTARY

By H. MANNHEIM (London)

Dr. Muller deserves every praise for the wisdom and courage with which he has tackled, both as a theorist and as a practising judge of very long experience, one of the most urgent criminological problems of our time: petty stealing as a mass phenomenon, committed by so-called 'honest' people, and one of its particularly disturbing aspects: pilfering from employers.[7] He has made not only a distinct contribution to our understanding of the causes of this phenomenon, but also an interesting and unorthodox attempt to check it. Similar conditions exist in many other countries, including Great Britain, and there is a widespread feeling of dissatisfaction with the working of the traditional penal system and a search for more efficient counter-measures. It is in particular the Probation system that has come under fire recently as being incapable of coping with a problem apparently rooted more in group than in individual factors. Consequently, probation seems to be very rarely used in such cases, and this may be one of the many reasons for the proportionate decline in the number of persons placed on probation in recent years. It may be symptomatic of the overall picture to find that fifty-four cases of pilfering from the London Docks between May and September, 1948, dealt with by various Magistrates Courts in the Metropolitan Area, were disposed of as follows: fines, 41 cases; imprisonment, 4; dismissed with costs, 8; bound over, 1; probation, nil. No information is available regarding the number of first offenders among these pilferers, but the fact that only a few prison sentences were imposed seems to indicate that not many of them were recidivists.

Quite rightly, Dr. Muller stresses the difference between widely scattered, unco-ordinated social groups of offenders such as those who steal electric

[7] See Claud Mullins, 'Fifteen Years Hard Labour', p. 107: stealing from railways by men and women employed in transport work, 'presumably respectable people'.

power or the money contained in gas meters, and a more or less closely knit group such as the employees of one firm, and he points out that the method of attack has to differ accordingly. Whereas in cases of the first category any conceivable use of publicity, any appeal to the community spirit and sense of honour of actual or potential offenders would necessarily have to be of a character too vague and general to be successful, in cases of the second group the whole arsenal of sociological and psychological stimuli operating within a closely-knit group of workers can, at least in theory, be employed for purposes of crime prevention. Whether the use of these various stimuli will in actual practice be effective will, however, depend on a number of factors which have been the object of study by industrial psychologists, sociologists and criminologists for the past twenty or thirty years. Dr. Muller's reference to the famous Hawthorne experiment is very much to the point, and the fact that a practising magistrate has been trying to apply its lessons within his own sphere of work is in itself encouraging enough. It now becomes the task of the theorist to build upon these foundations.

The starting-point for our analysis has to be the fact that within certain groups the commission of certain types of offences is not only not disapproved and stigmatized but, on the contrary, expected and applauded. In the case of members of the so-called Underworld of our traditional Criminology, Mark Benney's ' wide people ' or perhaps even the ' perfectly happy family ' described by Mass-Observation,[8] this state of mind has to be taken for granted almost by definition not only in some of their dealings with society but throughout ; they are professional criminals with a ' criminal superego '. Now, however, we find, that there are groups within society, probably much larger and more deeply affecting its well-being than the small stage-army of 'professionals: people neither downright anti-social nor altogether honest, but honest in certain situations and dishonest in others. There is no such thing as ' honesty ' or ' dishonesty ' in general. This, the ' specificity ' of conduct and of attitudes, was one of the principal conclusions reached already many years ago by Hartshorne and May in their painstaking investigating of cheating, lying and stealing in some 11,000 American schoolchildren aged eight to sixteen.[9] It was also found in that study, among many other discoveries, that friends who were together in the same class of a school resembled one another more closely in deception than friends who did not attend the same class; [10] that the group atmosphere, the ' code of the classroom ' seemed to be more important in matters of honesty than

[8] ' Report on Juvenile Delinquency ', 1949, pp. 73 *et seq.*

[9] ' Studies in the Nature of Character ', Vol. I, ' Studies in Deceit ', by Hugh Hartshorne and Mark A. May (1930), Book Two, pp. 411 *et seq.*

[10] *Ibid.*, Book One, p. 275.

home background or abstract teaching,[11] and that in an atmosphere of conflict between the teacher and the class deception was bound to flourish.[12]

These facts, the ' specificity ' of social and anti-social conduct, its dependence on the situation and on the general climate within the group, have more recently been confirmed by Professor Sutherland's studies of ' White Collar Crime '. Miles apart in its sociological and psychological setting as it is from both, deceit in schoolchildren and stealing by otherwise honest factory workers, white collar crime has, nevertheless, this in common with them, that it is practised with the approval of the inner group by individuals who are not likely to commit crime outside the one specific setting in which they can be sure of that approval. Prestige in the world of American big business as described by Sutherland is lost not through any violations of the State Criminal Law but only by violations of the code of behaviour prevailing in the business world.[13] An important consequence of this is that white collar criminals, just as factory workers pilfering from their employers, do not regard themselves as criminals, that they are not ashamed of their unlawful activities, and that they are highly successful in rationalizing their conduct. There are of course many points of difference between the pilfering factory worker and the business man who fleeces the public, especially in that the victim of the former is, on the whole, better able to protect himself than can the public, and that American white collar criminals, according to Sutherland, to some extent even enjoy the protection of the Government machine.[14] Even so, however, it is essential for our whole approach to the matter to realize that the phenomenon described by Dr. Muller is only one aspect of a wider problem: that of habitual crime committed by ' otherwise honest ' people who apparently experience no feeling of guilt because in their limited sphere of anti-social activities they are sure of the approval of their group which is more important to them than the disapproval of the State or of society at large and of the other groups in it. Some doubt has been expressed as to the possibility of a mentally normal criminal without a feeling of guilt towards society.[15] The profound friction, the cracks and disharmonies characteristic of modern society, however, are bound to throw up representatives of this type.

At a recent ' Conference on the Scientific Study of Juvenile Delinquency ' certain points were stressed which seem to have a distinct bearing on our

[11] *Ibid.*, Book One, Chapters XV, XVII to XX, and p. 413.
[12] *Ibid.*, pp. 400.
[13] Edwin H. Sutherland, ' White Collar Crime ' (The Dryden Press, New York, 1949), p. 219 *et seq.*
[14] Sutherland, p. 247.
[15] Paul Reiwald in ' Die Prophylaxe des Verbrechens ', edited by Heinrich Meng, 1948, p. 160; also in his ' Die Gesellschaft und ihre Verbrecher ', 1948, p. 165 (p. 150 of the English edition, ' Society and its Criminals ', 1949).

problem:[16] Sociological research was suggested into the 'attitudes of dominant social groups and individuals towards the less successful members of the community'.[17] Agreed; but why only of 'dominant' social groups? A study of attitudes of all important social groups to one another and to the various social institutions, such as property, is required. Or, as another speaker put it,[18] we have no information at present as to 'the extent to which delinquent tendencies are manifest in the behaviour of each of us in the daily round of our lives', and 'the social problem that requires investigation is the relationship between environment, group, and group member'.

For the solution of our special problem, stealing from employers, an analysis is required of the attitudes of different groups of people to property in its various forms and, more specifically, of the relationships existing between management and workers and between the workers, or groups of workers, themselves. On the first of these aspects, very little systematic research seems to have been done so far, though various writers have made some interesting observations on it of a more general character.[19] For the second aspect we have, as Dr. Muller indicates,[20] to turn to Industrial Psychology and Business Administration, knowing that our criminological problem is part and parcel of the wider one of industrial relations and morale. We cannot expect to obtain from the literature on these subjects a great deal of material bearing directly upon our own problem—stealing from employers is too delicate a subject to be taken up enthusiastically by research workers mainly interested in the wider aspects of industrial relations. Nevertheless, their findings are, indirectly, of the greatest value by enabling us to see the criminological situation in its general setting. Hartshorne and May, as already mentioned, came to the conclusion for their particular field of investigation that deception is inevitable in schools as long as there is friction between the children and their teachers and school authorities, but that even given such friction some of the children, because of the general background from which they come or for other individual reasons, do not cheat. Similarly, in industrial relations 'the first human problem of any business organization', as Roethlisberger has pointed out, 'is how to secure

[16] 'Why Delinquency?' (Published by the National Association for Mental Health), 1949.

[17] Dr. John Bowlby, *op. cit.*, p. 42.

[18] Professor T. S. Simey, p. 45 *et seq.*

[19] See, in addition to the references given in the present writer's 'Criminal Justice and Social Reconstruction' (1946), pp. 105-6, Professor W. J. H. Sprott's article, 'Psychology and the Moral Problems of our Time', *Philosophy*, July, 1948; also Mass-Observation's 'Report on Juvenile Delinquency', pp. 31 and 72.

[20] For descriptions of the Hawthorne Experiment see Elton Mayo, 'Social Problems of an Industrial Civilization' (1948); F. J. Roethlisberger, 'Management and Morale' (1941); F. J. Roethlisberger and W. J. Dickson, 'Management and the Worker' (Harvard University Business Research Studies No. 9, 1934).

the co-operation of people in attaining its collective purpose',[21] or, in other words, how to avoid friction between management and workers. Stated in such a very general way, this is of course a commonplace, hardly in need of any scientific backing. To achieve this object, more than good intentions or even intuitive insight is required, however: a systematic study not only of the 'formal', technical, but also of the 'informal' organization and the codes of behaviour existing within an industrial unit which largely determine the ways of thinking and of acting of the individual worker. For him, it may be much more important to conform with those codes than with the laws of the State or the intentions of the management, and less risky to be regarded as a 'poor worker' than as a 'rate buster'.[22] Where pilfering is practised by an influential section of the workers, those who don't take part will be not only unpopular as non-conformists but even suspect as traitors, with all the unpleasant consequences which this entails.

As far as the counter-offensive is concerned, one cannot but agree with Dr. Muller that neither the various penalties of the traditional penal system nor probation have so far proved particularly successful. They are inflicted in only a tiny fraction of offences committed, and where actually imposed they are largely ineffective because of the overwhelming encouragement which the offender receives in his illegal activities from his group. The State cannot cope with such problems without the active support of that group. Once more, an analogy might be drawn between the working population of a factory and other closely-knit communities. The idea of enlisting the participation of the group members in the administration of criminal justice in schools and reformatory or penal institutions has similar roots as the attempts to establish 'Comrades Courts' in Soviet Russia or Munition Tribunals in Great Britain during the first World War.[23] In the Rowntree Cocoa Works at York, 'with a view to creating a public opinion throughout the works which would condemn pilfering, it was arranged, in 1920, that all cases of pilfering, instead of being dealt with by the management, should be referred to a committee consisting of three elected workers' representatives and three representatives of the management, with an agreed chairman. This committee acts as a Court of Justice, trying all cases brought before it

[21] 'Management and Morale', p. 110. In a recent series of articles on 'Dockers at Work' (*The Times*, March 10 and 11, 1950) it was stated that 'pilferage, which assumed alarming proportions during the war and immediately afterwards, seems to have been substantially reduced in most ports, though it still causes concern.' This improvement may be due to the introduction of the post-war dock labour scheme, although the leading article in *The Times* of March 11, 1950, complains that 'little or nothing has been done to secure from the docker a sense of loyalty to, and partnership in, the enterprise for which he works.'.

[22] Roethlisberger, pp. 122 *et seq.*

[23] See 'Criminal Justice and Social Reconstruction', pp. 178 and 245.

and inflicting all punishments.' [24] The interesting point here is that the third possibility, i.e. charging pilferers before the ordinary criminal courts, is not even mentioned.

There will probably be a considerable amount of agreement with Dr. Muller's diagnosis and also with his recommendation to establish Factory Courts, particularly in view of the rather rigid limitations of their competence which he proposes. It if is true that ' the major malaise of industry is the lack of participation on the part of the many ' [25], anything likely to improve such participation should be welcomed. Opposition is likely to be directed against Dr. Muller's method of making the final fate of workers found guilty by the criminal court dependent not only upon their own after-conduct but also upon that of their fellow workers. Such opposition has already been voiced by another Dutch expert, Professor van Bemmelen-Leiden.[26] He stresses, in particular, that under Dr. Muller's scheme the offender in whose factory no workers' committee exists seems to be worse off than the one who can in the first instance be dealt with by his committee—a distinction which, he thinks, has as little bearing upon individual guilt as the conduct of the offender's fellow workers. Van Bemmelen prefers the traditional system of punishment strictly according to individual guilt. One might perhaps argue that certain further distinctions are needed to make the introduction of collective factors more effective and palatable. These collective elements [27] might indeed be reconciled, to a considerable extent, with the idea of individual guilt—and it is highly desirable that such a reconciliation should be achieved—if the group to which the individual offender belongs becomes so well integrated that he can justly be given the credit or otherwise for its conduct. Criteria of such integration might be the average labour turnover in the factory, the size of its working population, the whole character of its ' informal ' organization, including the existence of a workers' committee. Only where we have to deal with a well integrated group can judicial appeals to its collective conscience be justified and meaningful; otherwise, they would be out of place since integration which did not exist before can hardly be created by official action. Another *conditio sine qua non* is that the judge who makes the appeal should enjoy the full confidence of the group.

While Dr. Muller's plea for better group education deserves every support, one should not rely too much on the effect of degrading penalties,

[24] Patricia Hall and H. W. Locke, ' Incentives and Contentment ', 1938, p. 13.
[25] Wilfred B. D. Brown and Winifred Raphael, ' Managers, Men and Morale ', 1948, p. 158.
[26] J. M. van Bemmelen, *Tijdschrift voor Strafrecht*, Vol. LVII, 1948, pp. 255 *et seq.*
[27] As Dr. Muller makes it clear in some of his writings, his ideas should not be confused with ' collective responsibility '.

nor even of press publicity. Their history, from Bentham to the Nazis, is not altogether encouraging, and they should be applied, if at all, with the greatest caution and discrimination.[28] Group education should be of a constructive rather than of a punitive and destructive character. Moreover, individual treatment should go hand in hand with it. The individual offender must be made to feel that he matters as much as his group. To refer once more to the principles of industrial management, even here one of the aims is to find out the particular problems of a particular individual in a particular situation.[29] This means that there is a place for probation very often even in cases of this kind, provided it is well adapted to the specific needs of group education. Such adaptation may have to be attempted in two ways: first, probation officers have to be trained to deal more intensively with group problems themselves, and, secondly, they and group workers have to participate in a joint plan of action. A good beginning in this direction seems to have been made recently, also in Holland, by the Juvenile Court magistrate at Utrecht, Dr. M. B. van de Werk, by further developing the basic ideas of Dr. Muller.[30] In his experience, factory work gives no feeling of satisfaction and no sense of responsibility to the boys and girls employed in it; the management very often shows but little understanding of their peculiar difficulties; and existing methods of control have no effect. He therefore decided to tackle the problem through the combined efforts of the probation officer, the factory welfare officer and a workers' committee. The probation officer, by permission of the management, discussed with the workers problems of honesty in their various aspects, and as a result a committee was elected by the workers which is now closely co-operating with the factory welfare officer and the probation officer, thus relieving the latter of those aspects of group education which may be regarded as being somewhat outside his own sphere. It remains to be seen whether this system will, in the long run, prove to be successful and whether it can also be applied to adult offenders.

*Postscript.* After this had gone to the printers, Dr. Muller was good enough to draw my attention to the fact that similar principles have been applied in cases of mass sex delinquency occurring in a village near Utrecht. Instead of inflicting punishment, the Juvenile Court Judge invited the parents to attend a meeting where a talk on sex education was given by a doctor, followed by discussion.

[28] Sutherland, 'White Collar Crime', pp. 39–40, emphasizes the importance of the element of public shame in the penalties imposed on white collar criminals.

[29] Roethlisberger, 'Management and Morale', p. 133.

[30] The following is based on kind information from Dr. van de Werk and on an article by his secretary, Miss Sluiter, in *Maandblad voor Berechting en Reclasseering*, June, 1948.

# ON THE DESIRABILITY OF ISOLATING A 'FUNCTIONAL' (PSYCHO-SOMATIC) GROUP OF DELINQUENT DISORDERS

By EDWARD GLOVER (London)

It will scarcely be contested that progress in delinquency research depends to a considerable extent on the accuracy with which different clinical types can be isolated and classified. Unfortunately, criminal psychiatry, unlike other branches of mental investigation, suffers from the handicap that it must always take cognisance of the social labels already attached to the offender under criminal law. The pure psychiatrist is interested in the reality (social) sense of the schizophrenic; but most of the deluded cases he sees are neither under arrest nor threatened with a penal sentence because of their delusional formations. In forensic psychiatry the situation is quite otherwise. The group of pathological 'pilferers', for example, can be broken down under clinical examination and substituted by a number of clinical types—neurotic, psychopathic, psychotic, mentally deficient and the like; but in recommending treatment or disposal the legal codes governing sentences for theft must of necessity influence the recommendation.

Moreover, in certain cases the criminal psychiatrist finds himself unable to attach a precise clinical label to the delinquent condition and is compelled to borrow for the time being more descriptive socio-legal categories; as when he includes under juvenile groupings the headings 'behaviour problem' or cases 'out of control'. It is obvious therefore that before he can apply accurate standards to the classifications of pathological delinquency he must set his own house in order.

Earlier difficulties in formal psychiatric classification were concerned with the accurate definition of terms such as neurasthenia, hypochondria, psychasthenia, anxiety neurosis, and of their relation respectively to the psycho-neuroses and to the psychoses. Some of these difficulties have been overcome by the application of etiological formulæ based on psycho-analytical theories. But a number of confusions remain, in particular the precise connotation of the term psychopathy and the relation of the psycho-somatic states to conversion hysteria and to the traumatic neuroses.

In the case of psychopathy, attempts to clarify the situation have followed two directions; in the first place, the inclusion in the psychopathic group of certain clinical syndromes, e.g. schizoid, cycloid, and inferiority reactions;

and, in the second, classifying psychopathic reactions in terms of ego-psychology. The former procedure is based mainly on descriptive criteria. It contributes to the understanding of psychopathy only in so far as it implies that psychopathy, though not strictly psychotic, has many and close relations with psychotic systems or mechanisms. The second system of classification is mainly psycho-analytical and involves recognition of specific groups of character disorder associated with specific stages of ego and super-ego formation. This is less a descriptive than a psycho-genetic approach. Thus some psychopathies can be described as due to morbid function of the super-ego paralysing the sense of guilt and further subdivided in accordance with whether mother or father elements in the super-ego are affected. Or again, some psychopathies can be grouped in terms of morbid function of the ego, e.g. its capacity for ' reality testing ' and subdivided in terms of the particular instinct or pattern which produces the blind-spot in reality proving. Although some progress has been made in both of these main directions, the psychopathic group still contains too many unclassifiables. And many observers, including the present writer, prefer to limit the term in the meantime to the type originally described by Prichard,[1] distributing the so-called psychotic, alcoholic and epileptic types of psychopathy amongst other psychiatric groups.

In the case of the psycho-somatic states the situation is almost as complex. In the first place it was necessary to distinguish the somatic manifestations of a particular psycho-neurosis, viz. conversion hysteria, from those ' functional ' disturbances of the body-organs or systems in which neither organic disease nor psychoneurotic formations could be detected. This was a perfectly legitimate procedure. But the correlation was too restricted. It left many psycho-somatic states in the air with a rather vague etiology and no very satisfactory method of subdividing the omnibus group, except, of course, by the rather obvious device of using descriptive criteria, e.g. the particular body-system involved, gastric neurosis, asthmas, skin neuroses, etc. This latter method gives no indication of the relative depth of the disorder, in particular of the correlation between some forms of psycho-somatic discharge and a psychotic predisposition.

Recently, the writer (1), using psycho-analytical categories and following a developmental (serial) approach, has endeavoured to clarify the position

[1] Prichard, writing of *moral insanity or moral imbecility* (1835) described it as follows: ' a form of mental derangement in which the intellectual functions seem to have sustained little or no injury, while the disorder is manifested, principally or alone, in the state of the feelings, temper or habits. In cases of this nature the moral and active principles of the mind are strongly perverted or depraved: the power of self-government is lost or greatly impaired, and the individual is found incapable, not of talking or reasoning upon any subject proposed to him, but of conducting himself with decency and propriety in the business of life.'

by relating both psycho-somatic formations and true 'symptom-formations', such as the psycho-neuroses and psychoses, to different stages in the development of the *mental apparatus* up to the age of roughly five years, preserving at the same time the essential distinction between psycho-somatic states and both neurotic and psychotic formations. As, however, this psycho-analytical approach involves the use of the term 'functional' in a new and specifically psychic sense, it is desirable to indicate briefly in what respects the term as here used differs from the term 'functional' as used in organic medicine.

The mind or mental apparatus is conceived in psycho-analysis as a central system whose function it is to receive, regulate, distribute and where possible discharge excitations arriving from without, whether from bodily or from environmental sources. The localization of this apparatus in space is not the concern of the psychologist, the more so since the concept of a mental apparatus is based on a system of analogies existing in his own mind. For the slipshod purposes of description we may say that it lies between the afferent systems of stimulation and the efferent systems of discharge. The periphery of this mental apparatus can be indicated by the use of certain psycho-physical *boundary concepts* such as that of instinct, which is a psychic stimulus traceable in the last resort to somatic sources, and achieving entry into the mental apparatus through the medium of what psycho-analysts call the *Id.*[2] Other stimuli may achieve more direct entry through the system called perceptual-consciousness and directly affect different parts of the ego either conscious or unconscious. But even so they also affect the working of the mind through their effect on Id-instincts. Thus the temporal series of events following psychic stimulation, whether from the body or the external world, is as follows: instinctual excitation, the appearance of instinctual derivatives, affects and ideations, the functioning of various mental mechanisms intended to control, distribute, inhibit or obliterate instinctual excitation, and finally the end-phenomena of discharge, by means of various somatic innervations, through either the sensory or the motor frontiers of the mental apparatus. *What we call behaviour consists for the largest part of these discharge phenomena.* Whether the discharge is partial or total it follows the channels of feeling, ideation, speech, action

[2] The *Id* in psycho-analysis represents the primitive unorganized part of the psychic apparatus. Dynamically it can be described as a reservoir of instinctual energy, but its relations to the *ego* (and *super-ego*) can best be understood in structural terms. It is non-structural and therefore impersonal (non-ego). At the same time it is held to include the repressed, which, of course, has already been subject to ego (and super-ego) interference. Constitutional factors operate through the Id as do those psychic tendencies which develop into unconscious mental mechanisms. The ego and super-ego are therefore organized portions of the Id, a cortex developed as the result of experience of instinctual relations with the world of objects.

or changes in the body organs and systems. Needless to say, the largest part of the controlling process takes place unconsciously.

This psychic apparatus can be studied by three approaches: (1) structural (the differentiation of mental institutions), (2) dynamic (the varieties and modifications of mental energies), and (3) economic (mental mechanisms distributing or controlling excitation). We can then distinguish two groups of mental disturbance: (*a*) *disorders of the apparatus in which the apparatus itself is not diseased, but in which excessive stress or damming up of instinct produces certain pathological forms of excitation and discharge*, and (*b*) *conditions in which unconscious conflict produces characteristic compromise* (*symptom*) *formations* (*Freud*) *and thereby causes disease of the mental apparatus itself*, either structural, dynamic or economic. The essence of the distinction lies however in the structural concept. In the first group, to which I here apply the term ' functional ', no structural alterations take place. Dynamic stresses occur giving rise to economic changes, but once the stress is relieved or discharged the mental apparatus resumes normal function. In the second group characteristic structural changes occur in the mental apparatus, varying in gravity, permanence and amenability to treatment.

Adopting this approach it is possible to claim for functional or psycho-somatic reactions a historical (developmental) priority over psycho-neurotic symptom-formations. For, in the first place, the rudimentary nature of mental structure in the first two years of life and the relative weakness of inhibitory processes during that phase, is likely to promote a fairly rapid discharge of mental tension through body-systems (and *vice versa*); and, in the second place, the unconscious conflicts which give rise to compromises between repressed and repressing forces (in other words, symptom-formations) begin to develop at a time when mental structure is already fairly elaborate, e.g. in the case of the neuroses from two to three years onward. Naturally it is not implied that the functional or psycho-somatic variety of discharge is abandoned when true symptom-formation appears. Abnormal functional discharge occurs at all stages of life; it can be exacerbated by unconscious conflict; and it can from later infancy onward exist in reciprocal relation to psycho-neurotic or psychotic disorder.

In both of these two main groups (the functional disorders and the symptom-formations) constitutional factors and current stresses (precipitating factors) play their part; and both groups can therefore be subdivided in terms of the variety of stress and the stage of development at which it first becomes operative. In the functional group, as has been indicated, therapeutic results can be obtained by the relief of stress; in the symptom-formation group it is necessary to analyse or by some compensatory device (general psychotherapy) reduce or compensate or counter-balance the

conflict. By adopting the concept of a functional group, the position of the traumatic neuroses, anxiety neuroses, neurasthenia, organic reaction types, etc., can be clarified, and their tendency to promote subsequent ' symptom-formation ' (Freud) plausibly explained, in that a functional disturbance of any organ or body-system renders it liable to over-libidinization and therefore to neurotic selection.

Turning to the criminological aspects of the problem, it is not surprising to discover that difficulties in psychiatric classification of delinquent disorder reflect with some fidelity the difficulties existing in formal psychiatry. The fact that, because of socio-legal standards, attention is directed primarily and mainly to the *behaviour* of the offender does not alter this problem. The popular view to the contrary is based on the misconception that behaviour is something concrete existing in its own right and therefore to be judged exclusively by common social standards. For those who believe that the mental apparatus is activated by instinctual energies, *behaviour is a psychic end-product and usually a discharge product.* We must, however, extend the term to include both positive and negative varieties of behaviour. Positive behaviour is thus either an active and mainly motor response to increased mental *excitation* or an end-product bringing about and signalizing the *discharge* of excitation. Negative behaviour refers to such phenomena as inhibition where, despite instinctual stress, behaviour which might have been expected is either absent or restricted.

To illustrate this distinction we may take the case of a simple rage affect. Should, for example, a person of ' normal ' character be subject to provocation sufficient to drive him into a rage, he may get red in the face, clench his fists, utter threats of violence and under certain circumstances strike whomever has provoked him. All this can be regarded as positive behaviour. If, on the contrary, he reacts to strong provocation by becoming tongue-tied, and developing a limpness of the arms and hands, we may describe this as negative behaviour. In neither case need we assume that the individual suffers from unconscious conflict of a pathogenic type. This behaviour represents a form of discharge of tension, in one case externally, in the other internally directed. Nor need we presuppose the existence of unconscious pathogenic conflict if a person who is by nature prone to lose his temper but has from early years practised the arts of inhibition, develops muscular contractures of the arms or hands from a constant habit of clenching the fists. We can simply say that he suffers from the ' organic-functional ' effects of a ' psychic-functional ' disorder of discharge. *This is what is*

*generally described as a psycho-somatic state.* Should, however, a person who has shown no particular sign of constitutional aggressiveness and, in fact, can behave reasonably or appropriately under provocation suddenly develop a paralysis of the right forearm and hand, and further, should we be able to establish not only that he had recently experienced frustration of his libido but that in childhood he had suffered from acute masturbatory guilt, we would be entitled to assume that this particular form of negative behaviour was a hysterical formation based partly on the symbolism of the hand and arm, and representing on balance a punitive compromise between his repressed impulses both sexual and aggressive and his unconscious conscience.

If now we were to report to the police persons manifesting these four different types of behaviour the outcome would not be in doubt. No charge would be made against the tongue-tied inhibitionist, the psycho-somatic case or the hysteric. The positive behaviourist, on the other hand, might well find himself in the dock charged with a common assault or at least with uttering threats. The law, in short, is not primarily interested in psycho-pathology; it rarely goes further than to characterize certain end-products of psychic tension (behaviour) as socially undesirable or reprehensible, and to charge and sentence the offender accordingly. Even when, as in the case of the McNaghten Rules, the law establishes the relative immunity from punishment of offenders suffering from some forms of mental disorder, its concern is less with the actual state of mind of the individual than with the lack of social responsibility ensuing therefrom. Psychiatry must carry this social classification further; indeed, except in the case of psychopathy and certain ' behaviour crises,' has already done so with advantage.

Moreover, the behaviouristic (social) criterion cannot be limited to normal and delinquent groups. Many character disorders, such as miserliness, manifest themselves in social behaviour that is neither normal nor delinquent. And the same may be said of neurotic, psychotic and other mental disorders; these frequently give rise to eccentric behaviour, obsessional ritual, for example, which is nevertheless non-delinquent.

On the other hand, any attempt to classify pathological delinquent behaviour solely in terms of classical mental disorders (neurotic, psychotic, psychopathic, mentally deficient, sexually perverted, alcoholic, epileptic), or of recognized character abnormalities (schizoid, paranoid, cycloid, obsessive, hysterical and the like) is bound to be unsatisfactory: first because it does not permit correlation of pathological delinquency with the delinquencies of ' normal ' persons, and, second, because a number of pathological delinquencies do not fall into either of these two comprehensive groupings.

Take, for example, the case of boys or girls of ten to fifteen years of age recommended for examination, because of outbreaks of hostile and aggressive behaviour (wilful destruction, lying, stealing, truanting or wandering) at home, school or in general social contact; or because of sexual misdemeanour or assault. In many cases of sexual or social violence occurring in early adolescence it is possible to establish that the individual is neither hysterical nor psychopathic nor again pre-psychotic, with the consequence that he or she is finally classified as a 'pubertal behaviour problem', meaning usually that his delinquent conduct is due to sexual stress, lack of sexual instruction or traumatic seduction. Can we improve on this rather vague or at best merely suggestive terminology?

*At this point it would seem desirable to consider whether the broad distinction which can be applied in non-delinquent psychiatry is also applicable in criminal psychiatry; namely, the distinction between functional disorders of the mental apparatus and true psychic symptom-formations* (*Freud*). Is there, for example, a 'functional delinquency' as distinct from a 'conflict delinquency'? Can we distinquish between delinquent reactions that represent a temporary phase of exaggerated discharge of dammed up instinctual tension and delinquent reactions that follow a hysterical pattern, in which, for example, instead of a *phobiac* (morbid fear) reaction to certain (symbolic) objects or situations, we find a phase of violent conduct *directed against* certain (symbolic) objects or situations? If so, we could, following the example of formal psychiatry, speak of *psycho-somatic* delinquency. Or, since the term psycho-somatic is sometimes misleading and often inadequate, we could speak of (in the psychic sense) *functional delinquency*.

There is certainly a good deal of evidence that such a distinction is desirable. For not only do criminal statistics (2) suggest that spontaneous [3] abandonment or mitigation of delinquent conduct has *some* relation to increasing age, and presumably therefore to diminishing instinctual stimulation, in particular the activity of the sexual impulses, either conscious or unconscious, but there are a number of transitory delinquent states which can be subdivided according to age-groups. And these latter can be readily correlated with the current state of libido imbalance, e.g. frustration and damming up of quantities of instinctual energy.

The type of case which, after pubertal delinquent crises, comes most readily to mind is that of the middle-aged shoplifter, often a solitary spinster who steals, usually inefficiently and alone, and who tends to develop later

[3] The use here of the term 'spontaneous' requires qualification. Strictly speaking it means only that improvement has occurred in the absence of concerted psychotherapeutic or other form of treatment. But, of course, many 'spontaneous cures' are due to altered conditions either in the (internal) state of mind of the individual or in his environmental (psychologically significant) setting.

into an involutional [4] type. The kleptomania of males between 40–50 years of age who suffer from an increasing but usually unconscious fear of impotence is also frequently of the functional type. Following this approach it is not hard to distinguish 'transitory' delinquencies occurring between 6–8, 10–12, 13–15, 17–20, about 25, 40–50 and over 55 years of age. These are, in fact, the periods when instinctual crises are prone to develop or when a transition from one stage of libidinal organization to another takes place. Having established the existence of a particular variety of crisis, it is not hard to effect further sub-division in terms of predisposing (infantile) factors; whether, for example, the individual has developed during childhood strong instinctual fixations, or has made an over-rapid (preconscious) progression from one stage of instinctual development to another, or has suffered infantile regressions at critical phases of childhood. Incidentally, some of the 'atypical' psychopathies in which, contrary to the rule, no consistent history of psychopathic reaction can be traced from childhood, yet the individual passes through a temporary phase of psychopathic behaviour, belong to one or other of these functional groups.[5]

Naturally, the work of sub-dividing these psycho-somatic or functional delinquencies would involve the isolation of factors other than age. Different constitutional types prone to damming up and excessive discharge would have to be isolated. And here some correlation between 'traumatic delinquencies' and the so-called 'traumatic neuroses' of formal psychiatry could be effected, and would permit a more accurate valuation of various 'environmental' factors than exists at present. In the 'war-neuroses', for example, it was never hard to detect both constitutional sensitiveness and a sharpened (predisposed) emotional reaction to the traumatic environmental setting. The delinquencies associated with 'organic reaction types' could also find a place in the new functional groupings, together with delinquencies due to endocrine and metabolic imbalance. In fact, the time seems not far off when criminal psychiatrists need no longer depend on socio-legal descriptive terms to distinguish a number of forms of delinquency which up to the present have been only imperfectly understood, and have therefore gone without a specific clinical label.

[4] Disorders of a regressive type commonly associated with the climacteric.

[5] *A propos* the correlation of criminal behaviour with psychopathic states and with psychosomatic disorder, some interesting observations have been made by M. Schmideberg (unpublished communication). In quite a number of instances persons deprived by imprisonment of the opportunity of delinquent activity developed psycho-somatic symptoms; and in private practice too some cases who prior to treatment had already abandoned their delinquent practices because of fear developed psycho-somatic disturbances. These observations may shed new light on the relation of certain cases diagnosed as 'malingering' to the psycho-somatic states and in particular to hypochondria.

Should it prove possible to establish these clinical distinctions, we may also look forward with some confidence to effecting much closer correlation than at present exists between ' social ' and ' individual ' disorders, that is to say, between the disorders in which the individual seeks to discharge his mental tensions on the environment (the world of instinctual objects) and those in which he discharges them through pathological changes in his body or mind. To take one example, we could correlate such apparently distinct conditions as a gastric conversion hysteria (psycho-neurosis), pathological excess of appetite (psycho-somatic state), gastric hypochondria (actual neurosis), persecutory delusions of food-poisoning (psychosis), sporadic pilfering of food (functional delinquency), kleptomanic sweet-stealing (psycho-neurotic delinquency), or, for the matter of that, black market food offences, shop-breaking or railway offences involving stores of provisions (' normal ' crime).

Needless to say, the clinical distinction of a functional or psycho-somatic group of delinquencies should not be too rigid. Even with the best of classifications it is desirable to retain the category ' unclassifiable ' to cover those cases whose etiology is unknown. And in any event ' transitional forms ' lying between any two main groups, or ' mixed forms ' presenting features drawn from a number of main groups are essential to an orderly classification. Moreover, the factor of ' superposition ' of symptom constructions should always be borne in mind. Psycho-neuroses are often superimposed on anxiety neuroses, psychoses on hypochondrias and it seems likely that many of the conflict or symptomatic delinquencies are superimposed on functional delinquencies.

## REFERENCES

(1) Edward Glover. ' Psycho-Analysis.' 2nd Edition. Staples Press, 1949.
——. ' Functional Aspects of the Mental Apparatus.' 16th International Psycho-Analytical Congress, Zürich, 1949.
(2) See Roper. This Journal, 1950, i. p. 15.

There is no sharp line of cleavage by which the delinquent may be marked off from the non-delinquent. Between them no deep gulf exists to separate the sinner from the saint, the white sheep from the black. It is all a problem of degree, of a brighter or a darker grey.

Sir Cyril Burt: ' The Young Delinquent,' 1944, p. 14.

# THE UNCLUBBABLE ADOLESCENT

## A Study in the Prevention of Juvenile Delinquency

By JOHN C. SPENCER (London)

### (a) What do we mean by the 'unclubbable' adolescent?

It is intended in this article to comment on some of the relevant evidence and to describe one recent experiment started on a sailing barge on the Thames with the object of attracting those adolescents who are not attached to any organized youth movement (21). Careful research and study of the needs of the unclubbable adolescent is long overdue. Both Miss Younghusband (22, 63) and Dr. Carroll (23, 54) have pointed to this gap in our knowledge of adolescent behaviour, and it is hoped that the research which is being undertaken at the present time by the King George's Jubilee Trust into the causes of leakage from youth clubs will provide useful information on the whole problem.

The phrase itself, 'unclubbable', is an ambiguous one, and its very ambiguity has led to considerable misunderstanding. In this group must be included not only those adolescents of a solitary or unsociable disposition, but also all those not attached to organized youth activities (9, 16). The recent Birmingham survey does, in fact, speak of them as the unattached group (33, chap. 8).

L. J. Barnes, in his survey of Nottinghamshire, suggested the following classification:

(*a*) Most of the adolescent delinquents.

(*b*) The solitaries who, often for unexceptional reasons, prefer their leisure unorganized.

(*c*) The rejects and discards of the existing organizations. (Most units, rightly in one sense, pride themselves on being selective.)

(*d*) Those who are working abnormally long hours in their jobs or at home.

Barnes rightly adds: 'There must be others, too, as yet not properly classified' (10, para. 89).

In a survey of a selected area of Salford, Barbara Stancliffe and Mary Murray suggest a twofold classification [1]: the rougher type, and those who find the existing youth organizations too dull to satisfy their need for excitement and adventure (20). The authors of the Birmingham survey

[1] See also D. H. Stott (30, 577).

similarly point to the need for more interesting and exciting activities. The largest number of replies to their questionnaire received from the unattached group stated: 'Lost interest; same thing every evening; not enough to do; did not like it; fed up; boring.' Miss Cameron, in her study based on a questionnaire given to 75 boys and 75 girls in clubs compared with 75 boys and girls outside clubs, concluded that club members were more active in all spheres than non-club members (17).

While accepting these general conclusions one must add that a more intensive and deeper study of adolescent personality is required than is possible in a questionnaire. In the case of a large number of delinquents and non-delinquents among the unclubbable group emotional factors derived from experiences in early childhood play a more important rôle (31) (40, 20) and a study of interests and leisure-time activities is insufficient. The whole personality of boys and girls in this age-group requires careful investigation and research (47, 63).

The worker on the Barge has commented on the inability to inhibit on the part of the unclubbable boy.[2] 'He appears to be activated by instinctual impulses to a far greater degree than the clubbable boy, and is thus less able to conform to the standards required by society. He shows a greater desire for pleasure, and a greater dependence on the person whom he feels is able to give him some of the affection and security of which he may have been deprived in childhood.'

The difficulty of distinguishing between the unclubbable and the delinquent has frequently been observed by visitors to the Barge, and the history of the club shows that the possession of a delinquent record is no indication of extreme unclubbability. The same situation has been noticed by visitors to Approved Schools who have attempted to make a distinction between the delinquent and the 'care or protection' child.

It has been argued that youth clubs play an important part in the reduction of juvenile delinquency. Sir Leo Page recently criticized the 'superficial theorists who maintain that no significant relationship has been established between club membership and susceptibility to delinquent behaviour', and he adduced the experience of the Norwich Lads Club in the reduction of crime in the city (42). Stott, on the other hand, and in our view more correctly, suggests the contrary. 'For the "tough-nut", in short, the youth club as at present constituted offers no fold', though he points out that 'Youth clubs are an essential part of the emotional education of the nation' and agrees that the human contacts provided by youth clubs are bound to be the saving factor (31, 378).

Part, at any rate, of this disagreement is surely caused by an ambiguity

[2] Report No. 11, June 8, 1950.

in the nature of the delinquent group. Few would deny the value of the Youth Service as an essential element in the education and recreation of the adolescent, and as such the club may be accepted as making a valuable contribution towards the prevention of juvenile delinquency. On the other hand, there is little evidence that the normal youth organizations can attract and hold for any length of time the delinquent who is emotionally disturbed and lacks the stability necessary to remain a member except for short periods (30, 557).

It is the thesis of this article that we need to experiment with new activities and in smaller groups based on the adolescent's own naturally-formed gang if we are to attract that section of unclubbable youth who so completely fail to have any real interest in the youth service as it is at present organized.

### (B) THE SIZE OF THE GROUP

Estimates of the size of the group vary considerably, and accurate information is not easily obtainable. The P.E.P. broadsheet provided some useful material which was unfortunately related to the abnormal conditions of war-time. It was suggested there that two out of five among the fourteen to twenty-one age-group was a likely estimate of attendance at evening classes and youth organizations, and that although their influence was probably wider and more intense in the post-war than in the pre-war years, the rate of increase had grown much slower (24, 295).

The Birmingham survey pointed out that youth organizations of all kinds in the city included among their members about 55 per cent. of the boys and 33 per cent. of the girls in the fourteen to twenty age-range (33, 127). They recognized, however, that there was a danger of double-counting where the boy or girl belonged to more than one organization, and they emphasized the magnitude of the leakage from them. For example, one-quarter of the members of youth clubs was found to have been in membership for less than six months.

All estimates of this kind suffer from the serious disadvantage that they rely on the membership of organizations recognized by the Youth Committee and entirely fail to take account of all those informal groups such as street-football teams, cycle speedway clubs, and the like, which are organized quite spontaneously by the adolescents themselves. Nevertheless, the size of the unclubbable group may be seen to be a large one, even after taking into account the inaccuracies involved in the estimates which have been made.

### (C) THE UNCLUBBABLE AND THE GANG

The reliability of Press reports as to the nature of gang activity in certain

areas of London in recent years cannot adequately be tested in the absence of careful study and research. Thrasher, in his excellent study of the gang in Chicago, not only illustrated the varieties of gang behaviour, but also emphasized the psychological value of the gang in helping towards the fulfilment of adolescent needs in slum areas (6).

Among others, Sherif and Cantril (12), Howard Jones (2, 48), the authors of an Action-Research project in the United States (35, 110 *ff*), and von Hentig, in his sociological study of criminal behaviour (13, chap. 6), have all emphasized the influence of the group on adolescent behaviour, and the need for a study of the adolescent in relation to the group to which he belongs (12, 274). Chazal, the Children's Magistrate at the Seine court in Paris, has described some of the many features indicating the potential emotional force of the group. ' The existence of the gang finds expression in opposition to grown-up society, the more aggressive because it is fomented by the sense of protest and family injustice ' (38). Robert Birley, Headmaster of Eton, also stressed the function of the gang as the child's answer to the failure of the family (37).

In a recent account of the Central Haarlem Street Club project in New York, which was a project started as the result of the concern felt over gang warfare in that area, Dumpson noted three main causal factors in anti-social behaviour on the part of gangs. First, the glorification of violence in the war; second the tension arising out of the intensified emphasis on racial differences; third, the deep-seated frustrations based on political, social, and economic discrimination (32). The form of revolt against society which takes shape in aggressive acts on the part of a gang of young people who are given an opportunity of relieving their sense of grievance has been well illustrated by the bands of young vagrants in towns such as Naples at the end of the War (38).

The form which gang behaviour may take varies very considerably with the local situation, though the function of the gang in the emotional development of the adolescent may be generally accepted. The aftermath of the war as well as the overcrowded conditions of many large cities in Europe and America have, among other factors, intensified the anti-social nature of gang behaviour which would normally be an ordinary phenomenon of adolescence. The structure of the gang, its method of operation, the kind of activities in which it engages, whether social, such as the street-football team, or anti-social taking part in theft or violence, the degree of resistance which it offers to situations tending to disorganize it (39, 115), the extent to which it is a small face-to-face group or a larger and more loosely federated organization, all these factors and many others will depend on the basic community life of which the gang only forms a part (2, 48).

The relationship between gang behaviour and delinquency is not as clear as is often suggested. Certain studies have commented on the high proportion of juvenile offences which are committed in gangs, e.g. (7, 22) and the Commissioner of Police for the Metropolis in his report for 1948 has claimed that 65 per cent. of offenders under twenty-one committed their offences in groups (29, 54). Carr-Saunders, Mannheim, and Rhodes were more cautious in the interpretation of their material: 'It is obvious that the majority of offences are committed when boys are in company' (30, 111). The fact is that we are all too ignorant of the degree of planning involved in juvenile crime. How far, for example, is delinquency the result of careful planning on the part of a gang, or of casual acquaintances made at the street corner or in the café?

### (D) SOME REMEDIES

Any plan for the recreation as well as for the re-education of the unclubbable adolescent must take these factors into account. The club, for example, if it is to have any real therapeutic value, must operate through the adolescent's own reference group, taking into account his own capacity for social relationships and avoiding the imposition of a standard of behaviour which he is unable to accept. The therapeutic value of the group may be seen from the work of psychologists and psychiatrists in Great Britain and America, in the case of adults by Maxwell Jones at Sutton, by the Tavistock Institute of Human Relations (26, 533), by Slavson in New York, who has also worked with children and adolescents (11), by Bierer through social clubs (41, 7), and, above all, by the late Kurt Lewin and his followers (28, 330).

In the case of children and adolescents, the Citizenship Training Centre at Boston in Massachusetts, started as the result of the imagination and understanding of Judge Connolly of the Boston Juvenile Court, has shown the value of the club in the reformation of young delinquents. The Youth House in New York, opened in 1944 with a similar object in view, in its methods provides an interesting parallel to the work of David Wills at Barns and Hawkspur.

The essence of the gang is the intense sense of loyalty to the group and the feeling of solidarity which exists among its members. The large club is unable to build up the same cohesion and must inevitably break up into a number of smaller groups. For this reason it seems doubtful whether the large-scale youth organization is of value to the unclubbable. Stott rightly questions the contribution that is often claimed on their behalf (30, 557). Café clubs have been started in Bristol and Nottingham in an attempt to attract the unclubbable adolescent but it has proved impossible

to build up any tradition with a constantly floating population. Although the experiment of an American, W. R. George (5), in transforming a gang of young hooligans into a posse of police auxiliaries was successful, providing excitement for boys who had previously sought it in anti-social behaviour, it may well be doubted whether the suggestion of a similar scheme made by the Attorney General to the National Association of Probation Officers at their Easter Conference could succeed unless carried out in small groups.

*The Barge Experiment*

As a result of the concern felt by a probation officer at the Toynbee Hall Juvenile Court and the then Vice-Head of Oxford House over the leisure time activities of unclubbable adolescents in an area in the East End of London, it was decided to start an experiment of a rather different character.[3] This experiment has been called the Barge Club. It has been carried out on a sailing barge, partially converted for the purpose, and moored by the side of the Thames at Wapping. There were three basic assumptions on which the committee made their plans:

(1) That an appeal would most successfully be made to the boys' love of excitement and adventure if surroundings of a rather unusual character could be found.

(2) That only boys who had quite indisputable records of unclubbability as shown by their rejection from existing organizations and in certain cases by delinquent behaviour, would be accepted.

(3) That the success of the scheme depended on the maintenance of a small membership, preferably less than twenty, so that the leader and the group might maintain close personal contact.

The Committee was fortunate in having as Warden a young man of great experience, with a very real knowledge of the needs and personality of the unclubbable boy. He has recognized that his work could only proceed effectively by his own integration and identification with the group. The imposition of an external code of conduct on the club would inevitably meet with failure. It was decided to select as a nucleus for the club a small gang of unclubbable adolescents. The initial process of selection from among the large number of visitors in the weeks after the Barge had berthed was regarded as being of vital importance. It proved to be no easy matter to explain to the large number of local boys who felt qualified to join that they were in fact not eligible. For many of them the prospect of the new Barge was more exciting than the rather conventional activities of some local clubs. But it had been agreed by the committee that members of

[3] See also the First Annual Report of the Club, published in 1949 (21).

existing organizations could not be accepted, and a careful scrutiny of potential members was therefore required.

The initial nucleus of the club was provided by a local gang of nine members whose ages varied between thirteen and seventeen. In addition to this gang, nine other boys not already forming an existing group were chosen as members. They were not readily accepted by the gang, and several of them were unable to tolerate the frustrations involved in overcoming their continued rejection from the activities of the group. One noticed, for example, the dividing effect in an area of this kind of certain geographical features, and in this case living ' across the bridge ' on the other side of the Shadwell Basin made acceptance by the group particularly difficult. There was, therefore, among the early members a high turnover and many of them left after only a short stay.

During the first month, the Warden, or, more correctly, to use his own phrase, the Worker, was content to leave the river to make its own natural appeal to the boys' imagination and amusement. For example, the dinghy which was moored to the Barge proved a great attraction. He allowed the members almost complete control over any of the jobs on which they were engaged,[4] to experience the growing pains of group relationships, thus seeing in a practical form the effects of different kinds of behaviour on the happiness of the group. Their mood showed violent swings from enthusiasm to intense discouragement. At times a display of aggressive behaviour threatened to disrupt the whole group, and its control required the most careful handling.

The most important task was the preparation and decoration of the main club-room. It was essential that the boys should be able to see the results of their handiwork as quickly as possible. By this means they were able to build up pride in their work as well as a sense of solidarity in the group (cp. 45, 95). It is this creation of a real community which has been the Worker's constant object, and he has emphasized the importance of the relationship between the adult worker and the boys. Preconceived methods of approach are of little value in this situation. As Aichhorn has written: ' Specific educational methods are far less important than an attitude which brings the child into contact with reality. . . . The more the life of the constitution conforms to an actual social community, the more certain is the rehabilitation of the child ' (25).

One of the most interesting features of the history of the club has been the change in the leadership of the group, and the use which has been made by this leadership in the organization of club activities. When the experiment first commenced in August there was a certain leadership structure based

[4] Warden's Report, No. 8, October 12, 1949.

on the needs of the early situation. At this time toughness and physical strength were required, and indeed had been required in the gang's activities before the arrival on the Barge. But the qualities required in a leader changed when the group was engaged in work below deck during the winter months, and a rival leader emerged. Each of the two boys struggled for leadership of the group, whenever possible diverting activities into those areas in which he himself was most adept. The Worker was faced with a difficult situation when the original leader, finding his position weakened, encouraged the appearance on the Barge of a number of members from a local gang with a considerable reputation for toughness. Their appearance was not welcomed by the majority of the Barge Club and in particular by the rival leader. A showdown very rapidly took place in which the latter's position was consolidated and his leadership was recognized.

The position of the Worker at this juncture was a delicate one. He was faced with the occupation of the club by a new gang whose presence would have disrupted the whole experiment, and he decided to close the club for four days, reopening again with a period of intensive work and activity. The club was again united. Crises of this nature may be expected in any club, but especially in one containing the unclubbables as members. The work of the Warden who operates through the boys' own leadership and control is particularly difficult in a situation of this kind and requires the greatest possible skill and knowledge. Rejection of the unruly and aggressive member from the club may easily lead to a marked improvement in the apparent standard of discipline in the club. Yet it is this person who needs it most. The club can only move in stages and the worker can only make such demands on the members as he believes they can tolerate.[5] As the link between worker and boy becomes closer their acceptance of reality and the sacrifice of immediate pleasure becomes more possible. The work of re-education cannot be hurried. Time is required for the worker's position in the group to be established.

It may thus be seen that the development of methods of self-government among the unclubbable adolescent depends far less upon formal techniques of committee organization than is often recognized. The history of the Barge club shows how important are the boys' own informal groupings. Even though the experience gained in the election and organization of the committee was a valuable element in the work of the club, it would be unwise to attach too great weight to the part played by the committee in the running of the club. Even among such a small group as the Barge Club one sees the fluidity in the structure of the group, and the emergence of new leadership as the situation changes, the good leader of the gang when engaged

[5] Warden's Report, No. 11, June 8, 1950.

in anti-social activities not necessarily showing himself the possessor of those qualities required in a more stable situation. In a large club the appearance of problems of this kind is all the more likely to occur.

Although we do not possess detailed case-histories of the boys as yet, we know enough about them and their families to be certain that they belong to the group whom we had hoped to attract. In most of the families there is a history of delinquency or maladjustment. The housing which they occupy is poor and overcrowded. In no case is there any evidence of any stable membership of a local youth organization. On the contrary, we hear of discharges from respectable clubs for smashings up or violent behaviour. Nearly all of them displayed marked signs of aggression and instability. They had built up a tradition of being too tough for the club and took a pride in this reputation. The most difficult of them wanted to be told to go though they were unconscious of their desire. The number of solitaries in the club was small, as might be expected, but the few who remained derived a satisfaction from the human relationships in the group even though their integration with the members of the original gang was a difficult process.

Later progress in the club has been slow and unspectacular but nevertheless unmistakable. With the valuable help of the River Police a whaler has been entered for a local regatta and a crew trained for the race. It is significant that an event of this nature involving a hard period of training could not possibly have taken place in the early stages of the Barge club's history.

Although the immediate future seems quite clear, the long-term problem presents a number of difficulties. In the course of time the original gang on which the club has been built will have been conscripted into the Forces, and new members will join who feel little responsibility for the property or the tradition of the club.

The question arises, therefore, as to how far it is desirable to create a new club from an entirely fresh gang and to start again at the beginning. It may be argued that the function of a club of this kind is only to take its members to a certain stage, and then to release them to the wider community when the process of socialization has been completed. In 'Youth in a City' (1, para. 26) the suggestion was made that there should be a system of 'promotion' in operation, so that the ever-present danger of respectability is minimized, and prospective members are not deterred from joining because the club has become too respectable for them. Already in the Barge Club the boys, when faced with the choice of new members, are unwilling to admit other boys outside their own circle of acquaintances, and the Worker is faced with the problem of persuading them to accept the unclubbable whom he regards as suitable.

The history of the Barge during the first year suggests two things. First, that even if the present members make no claim to respectability, there is nevertheless a solidarity in the group which makes the integration of new members a most difficult procedure. Second, that it would be most unwise at this stage to be in any way optimistic about the possibility of releasing the existing members in the hope that they might join a more orthodox club. We must not look for such quick results.

But the implications of this experiment for the Youth Service are significant. To buy a new barge or build a new hut which each new group could decorate and furnish is clearly impossible, yet the fact remains that if we are to attract the imagination of the unclubbables and then to hold them in the club, not only must we be prepared to do more interesting and exciting things, but we must also select and train leaders who can understand the psychological implications of this kind of approach as well as possess the necessary ability and personality. Work with the unclubbables, moreover, can only be done with such groups where personal contact between boy and leader is possible.

Methods of re-educating the delinquent must take into account the extent to which the process by which children become delinquent is rooted in the basic life of the community. The development of schemes of the character of the Barge must, if they are to prove successful, rely to a much greater extent on the use of natural leadership in the local community, and less on the introduction of workers from outside. In either case, the acceptance of the boys' own frame of reference is essential for ultimate success (34, 24) (44, 128).

## SUMMARY

(1) The ambiguity of the phrase ' unclubbable ' and the variety of types of adolescents who might come in this category were described. Emphasis was placed on the need for further research.

(2) Some reasons why the Youth Service as at present organized fails to attract so many adolescents were suggested.

(3) The size of the unclubbable or unattached group and the relationships between unclubbability and gang behaviour and also between delinquency and the gang were discussed.

(4) The importance of using the emotional force of the group in the re-education of delinquent youth was emphasized. A short description was given of experience gained through the use of this approach in Great Britain and America.

(5) The experiment known as the Barge Club was described, showing the value of building the club around a small gang already in existence, and

of utilizing a sailing barge in the fulfilment of the adolescent's sense of excitement and adventure.

(6) Emphasis was placed on the great need of good leadership and of close personal contact between the Worker and the boys in the club, having regard to the need for emotional security which many of these boys did not find in their own homes and which they sought in the club.

(7) The value of the members' own preparation and decoration of the club in building up a sense of pride in the Barge and a solidarity in the group was shown.

(8) The Worker followed no preconceived method in the running of the club. From the start he recognized the essential importance of identification with the reference group of the boys, and the need to move by stages only making such demands on the boys as they were able to accept.

(9) Early optimism as to the possibility of passing the boys on to more orthodox youth organizations in the neighbourhood after a period on the Barge has certainly not been justified. The psychological problems of many of them preclude any rapid development of this nature.

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# DELINQUENCY IN HANDICAPPED CHILDREN

By ALAN MABERLY (LONDON)

While it can be agreed that much further systematic investigation and research is required before a full-scale frontal attack can be made on the problem of juvenile delinquency, it would seem a pity if certain measures which could be taken now were to be delayed until the results of such investigations can be made known.

There is a very considerable group of delinquents whose main problem is one of marked deviation from the average, whether constitutionally or environmentally determined. These handicapped children fall into many categories, including the border-line mental defective, the emotionally retarded, the physically odd or disabled, the exceptionally intelligent and those with eccentric or psychopathic personalities. The psychological mechanisms involved are also numerous, but may be grouped for the most part under the heading of compensations for inferiority or inadequacy, real or imagined. Much can be done for these children if their problems are recognized soon enough and measures taken to assist them in their social adjustment before delinquent behaviour or other symptoms of maladjustment have arisen.

The dullard who is subjected to a daily bout of public humiliation owing to his academic incapacity, and in particular if he is prevented by additional physical handicaps from compensating by success in other fields of activity, is more than likely to resort to illegitimate means of gaining social esteem amongst his contemporaries when legitimate ones are closed to him. This picture, familiar to all of us, can and should be eliminated by timely action on the part of school authorities by the utilization of special classes or special schools, where the child is no longer required to do what he cannot do, and to compete on unfair terms with the more gifted. Education authorities have the powers to do what is necessary, but very much greater pressure must be exercised before the child who suffers without making a nuisance of himself is given the same attention as those who are more active or vocal. To take action after delinquent behaviour has arisen is so much less effective than sensible and rational preventive methods. It must also be confessed that there is still a long way to go in many schools before a position is reached where a child who is academically weak is not only valued on equal terms with those who are clever but made definitely aware that his defect gives no cause for shame or guilt.

While needs of the dull and backward have received official recognition,

the same cannot be said of the emotionally retarded who, along with those with eccentric personality, are severely handicapped in their social adjustment, as well as in their ability to fulfil demands in respect of concentration and muscular inactivity in the classroom. This group of children, lacking *savoir faire* and at a loss to know how to behave in most social situations, find themselves on the margin of, or excluded from, every group and constantly in trouble with adults. It can be no cause for surprise if they try at times to achieve popularity and social acceptance by identification with group standards which conflict with adult authority. Once committed to this line of action, they are liable to cling to it with a heroic persistence that brings them into serious conflict with the law, and all too often they then find themselves discarded by their erstwhile admirers. They cannot extricate themselves from such a situation without exceptionally understanding help from both their parents and teachers, and because of their personality handicap, this understanding help is frequently denied them. Since this group often contains those who will at a later period suffer serious mental breakdown, far more should be done to recognize them at an early age and to mark them down for special assistance and periodic observation from their early schooldays onwards. They are fairly easy to pick out when they enter a primary school at seven, owing to the prominence of their problems at this time. They find difficulty in concentration and sitting still in class, and are over-active, excitable, impulsive, forgetful and untidy. Always relatively isolated and unpopular, their problems of social adjustment may be much more marked, with temper, aggressive behaviour and inability to co-operate in group activities.

Physical handicaps can cause a far greater sense of inferiority in children than is commonly recognized. Here also, efforts to compensate and to overcome social ostracism may give rise to delinquent behaviour. The boy who has lost an arm or an eye or who has, perhaps, little more than an unusual build in that he is excessively fat, short or tall, may feel severely handicapped in his desire for social esteem. Furthermore, as the school leaving age approaches, he may find himself handicapped in achieving his ambitions for a career. The discovery of colour-blindness, which precludes entry to the Navy or employment as an engine-driver, may present a problem of frustration for which there is no satisfactory solution, whatever effort the individual makes, and which leads for this reason to anti-social behaviour. Similar reactions can occur in those who feel ' different ' for quite other reasons, such as that they have been adopted or are illegitimate. A concerted effort on the part of all those in contact with children so handicapped can go far to ameliorate their condition, but there will always be those who will only adjust if they are placed with others similarly afflicted,

and removed from what is felt to be unfair competition. Segregation need not be permanent, if means are taken to equip the child to take his normal place in life and accept or overcome his handicap.

Apart from those who can be readily recognized as being handicapped in one form or another, there are those children of high intelligence and more than average sensitivity, who are liable to suffer acutely in the years up to eleven, before selective educational provision comes into play. Their academic ability which leads them to be placed in association with others much older and bigger than themselves, provokes, in the majority of cases, a great deal of bossing or bullying, with which they are ill-equipped to deal, and for which they cannot be held responsible. It is difficult to see how experiences of this kind, under these circumstances, can possibly be avoided, as it occurs at an age when gang feeling is strong and social ostracism of the different and unconventional perfectly normal. These children, like their emotionally retarded counterparts, are very liable to seek to compensate for their unpopularity by dare-devil exploits by which they set their wits to work to gain approval of their contemporaries at the expense of their elders, and often of their academic progress. It would seem that a good case could be made out for the establishment at certain selected grammar schools of Junior departments where exceptionally gifted children could be given education appropriate to their abilities from the age of eight. They would pass automatically on to the grammar school at the age of eleven, where they would form the core of the 'A' stream, and future candidates for University Scholarship examinations. Selection at the age of eight should not prove as difficult as it sounds if it rested on joint recommendation of the head of the Primary School and the authorities' Educational Psychologist, backed up, if necessary, by a Child Guidance team endorsement.

## SUMMARY

It is suggested that much anti-social conduct in children arises from defects and personality deviations that may cause a feeling of being unusual in the individual, a rejection by others, and a failure in normal social adjustment. Society is organized to meet the needs of the average and not the unusual.

Delinquency may result from frustration and associated resentment, from an attempt to compensate for inferiority and inadequacy, or from a desire to gain popularity with contemporaries by acting tough and defying authority. These problems can only be met by early recognition of all forms of handicap arising from being different, eccentric or unusual. Preventive means should be taken at that point by selection, segregation and individual assistance, designed to achieve a normal adjustment. These

means are equally desirable where the handicap is imagined or exaggerated, and are the more necessary where the individual is powerless owing to his age, his situation (as in compulsory attendance at school) or the very handicaps from which he suffers, to find an appropriate solution for himself.

Where no special steps are taken to assist the handicapped to accept or to overcome their difficulties, there follows a distortion of normal development whereby the child fails to make personal relationships and is very liable to display anti-social behaviour. He sets out to satisfy his own needs at the expense of those towards whom he feels neither affection nor loyalty.

In the psycho-analysis of neurotics we often come across the consequences of too much spoiling in early years, with the result that the child's demand for love has been unnecessarily encouraged. Among ' dissocials ' we shall, I think, more often find that the libido has undergone a different fate in early life. In them, it is lack of love which being, as it were, a lack of spiritual nourishment, is the first predisposing cause of the appearance of dissocial characteristics. It creates too great an amount of hatred and rage, which are first directed against a small circle of persons but later grow to include the whole social environment. Where there is a predisposing cause of this kind, the child will not naturally develop a character which can make good social adaptations.

KARL ABRAHAM, ' The History of an Imposter ' (1925) (from *The Psycho-analytic Reader*, edited by Robert Fliess, M.D. London: Hogarth Press. 1950.)

In order better to ensure the protection of society, the execution of the sentence should contribute to the education and improvement of the convict through all the means made available by modern pedagogy. The physical faculties of the convict should be developed and his moral and intellectual education considered by means of crimino-biological examination and by the division of convicts into groups according to the influence exerted on them by education.

Tenth Penal and Penitentiary Congress at Prague, 1930.
Resolution Section One, Question One.

# THE 1946 LAW IN PARIS

By OTTO L. SHAW (East Sutton)

The French legislature, after clerical, political and social controversy, passed in 1946 a law which, among other issues, closed the French brothels. It is interesting to compare the life around the brothels after the incidence of the new law with the arrangements that existed previously.

The investigations on which the following observations are based were made in the years 1938, 1949 and 1950 and were conducted by a series of personal visits by the author to various brothels, '*hôtels meublés*', *boites de nuit*, La Roquette Prison and paid conversations with selected street girls. The statistical information was provided in conversation with the Prefect of the Police and by M. Max Fernet of the *Brigade Mondaine*.

The number of girls engaged in prostitution is difficult to assess, but certain figures can be offered which are as accurate as is possible :

| | 1938–39 | 1945–46 | after 1946 |
|---|---|---|---|
| Girls in licensed houses | 2,000 | 1,600 | none |
| Girls in street work | 20,000 | 6,000 with carte and about 14,000 clandestines | 6,000 with carte and about 14,000 clandestines |
| Number of brothels | 26 | 26 or more | none |
| Age of girls in houses | not below 21 years | not below 21 years | — |
| Age of girls on streets | As low as 16 years ; bulk average 26–30 years, a few over 45 | | |

The carte is a document issued to a registered prostitute and must be produced when the girl is requested to do so on the streets by a policeman. Failure to produce the card is punishable. The possession of a card is a prerequisite to the practice of the trade and upon it is stamped the date of medical examinations. The weekly visual examination is in result negligible owing to the haste and speed with which it is conducted. Every fortnight the sexual parts are investigated with a speculum, but again it is not unfair to suggest that the examination is superficial. At two-monthly intervals there is a radiographic examination. Police are present at all examinations.

The clandestines make a group of girls who have no carte, and if they

are detected plying on the streets they are arrested. Information available supports the statement that many are, especially since the war, big store shop assistants, domestics, children's ' nurses ' and stenographers, who all are able to produce wage figures to support their belief that they are prostitutes for economic reasons. Such a belief was only expressed to a negligible extent before the war, and police opinion is emphatic on the point. The existence of the clandestine group makes figures difficult to compile, but the estimates given here are not likely to be too high.

Since 1946 the girls formerly in brothels have mainly gone on the streets, where they are generally, but now decreasingly, controlled by the age-old methods of the *souteneur*. The distinction between these unfortunates and the more experienced street workers is clear. It is an exaggeration to say that the *patronne* of a brothel was a considerate mistress to her girls, but she approximated nearer to a manageress than she did to a harpy. The girls outside the orbit of their varied and perverted, but emotionally asexual activity, led regular and routinized lives and did not fare badly for creature comforts. From observations in 1938 I formed the opinion that their Intelligence Quotients could only rarely be in excess of ninety and that few signs of hysteria or sexually motivated delinquency could be seen. They were functionaries who seemed to have no emotional interest in their trade. Their change of residence after 1946 must have been perplexing to them. They found that the existing prostitutes resented the addition to the numbers on the streets and the greater experience and shocking hardness of these older girls and women amounted at times to persecution, forcing some of the brothel girls into factories, where a few have made a satisfactory adjustment. The normal street-walker seems to have a somewhat higher intelligence than the brothel girl and far more marked psychopathic disorders and sexually based asocial behaviour. At all events it is rare to find a mental hospital or prison inmate with a brothel background compared with the frequency with which a prostitute from the streets is found in jail or a lunatic asylum.

Alcohol was never taken to any marked extent by the brothel girl, but the street-walkers, although rarely drunk, do freely take brandy and spirituous drinks. The present social strata from which the girls come are varied but they mainly come from the artisan classes. Almost invariably they are maladjusted persons who cannot keep a job for more than a few weeks without finding an excuse to leave their employment. They appear always to have unsatisfactory family and parental backgrounds and they never suggest seduction as being a cause for their prostitution.

The writer was impressed by the number of women who said that they were war widows with children and complained of the inadequacy of war

pensions and the impossibility of obtaining ordinary employment. Most such women, however, appear paranoid in type.

French law makes accosting illegal, as in London, but this law appears in no way to inhibit the prostitute's approach on the pavement. Without the slightest regard to probability, any person is approached and one whose alcoholic condition has made him profitably sexual attracts a swarm of girls. Although it is stated that the numbers of professionals have not increased greatly above the pre-war totals the trade appears to have greatly increased geographically. Before the war, for example, it was rare to be accosted in the Champs Elysées, but now there are two hundred walkers practising in the length from the Place de la Concorde to the Place de l'Etoile. It is not easy to account for this if one accepts the statement that the numbers have not become higher.

As for the former brothel ' bosses ' ; these appear to have been often not much more than manageresses for some other owner ; but equally they rented their big premises and conducted the business for their own profit. There seems little evidence to suggest that either class was associated with crime or was in any way accessory to criminal activities. The petty thieves of the city knew of the different houses, of course, and extracted fees from curious tourists and others, whom they would accost outside *boites de nuit* for an introduction to some ' spectacle '. Having effected the introduction and collected their tip they would not get much more than the equivalent of a drink or half-a-crown from the *patronne* of the brothel. The bleak atmosphere of these transactions in the brothel foyer beggars description and their utter matter of fact divorcement from the trade that went on in the house is incredible.

The *patronnes* of the houses have, in the cases of the financially prudent, retired in reasonable comfort. A few others were busying themselves with the black market, but this trade has now ended. Before 1946 only women were allowed to conduct brothels but there was frequently a man with whom they associated. A few of the proprietresses are now intermediaries who work with their former male collaborator as a *macquereau* or *souteneur*.

One of the arguments that have been used to support the existence of tolerated brothels has been the belief that the medical service involved secures health and freedom from disease. Disregarding the scantiness of the medical control and the virtual impossibility of willing co-operation from the girls, the fact that then and now only a proportion were and are subject to the attention makes the argument slight. While one should avoid facile assumptions that prostitution is an easily understood social and psychological phenomenon, the implied assumption that it can ever be moral as well as legal should be resisted. The toleration also of legal houses

assumes one's acceptance of the principle that profits should be made for the organizers of the brothel from the inmates' activities. The Paris police are glad of the closing clause of the 1946 law, and although they have perhaps insufficient officers to give adequate supervision in the city, very few brothels, now probably not more than in London, exist. The distinction in use between a 'hotel' and a brothel is morally very small but in effect great, and as on the whole the incidence of the law is being felt, further evolutionary alterations will undoubtedly take place.

Before the war brothels in Paris would specialize differently in various forms of perversion and often the '*spectacles interessants*' shown were arranged round one perversion. Flagellation was a popular diversion for the brothel audience and the fee was high enough to allow the performance to be shown to a small party of only two or three. Laws affecting the practice of perversion are far milder in France than is the case in England, but it does seem that perverts will now have to arrange their own groups instead of using suitable brothels as was convenient before 1946. Thus the situation resembles more closely the tendency in London for such people to gravitate to certain cafes, which, as is known, often later leads to the formation of very private clubs. Such places are not needed in Paris as the practises that ultimately find expression in a more secluded and exclusive grouping in London are not so gravely illegal in France. As in all capitals, Paris once again demonstrates the fact that pervert clubs are formed mainly from the intellectual, professional, artistic and theatrical classes.

The 1946 law has certainly given further emphasis to the unhappy social function of the prostitute. The prostitute will, if given the chance, quickly tell of her surprised relief if her pick-up wishes to have normal heterosexual intercourse. The more expensive women usually have a complete equipment of the various articles and apparatus which are used in different perversions. These collections more often centred in the old brothels but are now available only very rarely for hire at some of the 'hotels.' The apathetic masculine and sterile emotional front of the girl goes hand in hand with her complete and rigid interest in money. The money search permeates the whole of her social and business relationship to the exclusion of any other sentiment or feeling.

The police authorities in Paris have organized a special *Brigade Mondaine*, and the duties of this Brigade include, among others, the supervision of prostitution and drug addiction and connected crimes in the city. The police of this special department primarily discuss prostitution in terms of economics and social degradation. It is a pity, however, that the police of other cities do not have the deep understanding and knowledge that many of the Paris officers show. One is not accustomed elsewhere to discuss

these matters with detectives who are widely read philosophically and who have more than a superficial grasp of Stekel and Freud. Their toleration of the pervert does not mean that they support what the pervert does. Their support of the 1946 law is a scientific support well based in their experience, knowledge and reading.

The full significance of the new law is to be found in its attack upon all forms of intermediaries in the trade. The full attack is divided between the suppression of brothels which is now complete, or virtually so, and the abolition of all introducers and procurers who so frequently enable a girl to enter the trade when sublimations might otherwise have been effected.

A clear result has already been seen in the diminution of the numbers of *souteneurs*. The police emphasize the importance of this clause forbidding all kinds of intermediaries as being equal to the clause forbidding brothels. There is a clear cleavage between crime and prostitution: intermingling of the two classes existed before 1946 and 1939 but is nearly absent altogether now.

In recapitulation it can be said that the 1946 law has lessened most of the vicious ramifications around prostitution in Paris, has lessened the organized business aspect of the activity, and meets with emphatic police support.

Although we usually call reward and punishment the two hinges upon which all government turns, yet I could never observe this maxim to be put in practice by any nation, except that of Lilliput. Whoever can there bring sufficient proof, that he hath strictly observed the laws of his country for seventy-three moons, hath a claim to certain privileges, according to his quality and condition of life, with a proportionable sum of money, out of a fund appropriated for that use: he likewise acquires the title of *snilpall*, or legal, which is added to his name but does not descend to his posterity. And these people thought it a prodigious defect of policy among us, when I told them that our laws are enforced only by penalties, without any mention of reward. It is upon this account that the image of Justice, in their courts of judicature, is formed with six eyes, two before, as many behind, and on each side one, to signify circumspection: with a bag of gold open in her right hand, and a sword sheathed in her left, to show she is more disposed to reward than to punish.

JONATHAN SWIFT: 'Gulliver's Travels: A Voyage to Lilliput.'

# CURRENT RESEARCH

As indicated in our Editorial Announcement, it is one of the objects of this Journal to publish regular reports on criminological research in progress in this country. No centre for the collection of data having special reference to the various aspects of Criminology is at present in existence in Great Britain, and the result is very often wasteful duplication of work or at least lack of co-ordination. We therefore appeal to all Institutions and private individuals undertaking criminological research in its widest sense (medical, psychological, psychiatric, sociological, legal) to send us information, if possible on the following lines:—

(1) Name of University Department, Hospital, or other Institution or private person supplying the information.
(2) Subject of research.
(3) Under whose auspices is the research being carried out?
Chairman of Research Committee?
Research Worker(s)?
(4) When commenced and when likely to be completed?
(5) Have any results already been published and where?
(6) Any further remarks.

It is only through the regular collaboration of all workers in this field that we can hope to achieve our object.

* * *

(*Continued from No.* 1, *p.* 63.)

IV. Service Life and Criminal Behaviour

(1) *Name of University Department, Hospital, or other Institution or private person supplying the information:* Mr. J. C. Spencer, M.A., J.P., Lecturer in Social Science, London School of Economics.

(2) *Subject of Research:* The influence of Service life on criminal behaviour.

(3) *Under whose auspices is the research being carried out?:* As a thesis for the degree of Ph.D. in the University of London. *Supervisor:* Dr. Mannheim. *Research worker:* Mr. Spencer.

(4) *Commenced* in 1946; likely to be completed in 1950.

(5) *Publication :* no results have so far been published.

V. Group Methods in Institutional Treatment of Children.

(1) Mr. Howard Jones, B.Sc. (Econ.), Psychiatric Social Worker, Chaigeley School, Thelwall, nr. Warrington.

(2) The use of group methods in the institutional treatment of delinquent and problem children. A study of the correctional institution as a therapeutic community.

(3) Carried out as an external Ph. D. thesis, University of London.

(4) Commenced 1948, likely to be completed 1951.

(5) Nothing so far published.

VI. Reactions of Juvenile Delinquents and Other Children to Frustration.

(1) B. R. Kay, B.A., M.A.

(2) A comparative investigation into the reactions of juvenile delinquents,

maladjusted children who are not delinquent, and matched control groups, to experimentally induced frustration.

(3) The University of London, under the supervision of Professor C. A. Mace: Research worker: Mr. Kay.

(4) Commenced in 1949 and likely to be completed in 1951.

(5) No results so far published.

(6) The design of the experiment is guided by the hypotheses concerning frustration formulated by N. R .F. Maier—University of Michigan. The number of subjects in each group will be approximately 100. Records obtained will include: (i) case history data; (ii) Rosenzweig's Picture Frustration Test: (iii) Murray's Thematic Apperception Test; (iv) a projective technique designed to cover possible areas of frustration; (v) revised Stanford Binet, 1937 –Form L; (vi) verbal and motor behaviour elicited in the course of the experiment.

Special facilities have been made available by the Home Office and the Managers of Kingswood Classifying School, and by the Department of Child Psychiatry, Ipswich Hospital Management Committee.

* * *

The reader is also referred to the list of suggestions for future research made at the I.S.T.D. Summer School (see p. 151).

# CRITICAL NOTICE

DELINQUENCY AND HUMAN NATURE. By D. H. Stott, M.A. (Dunfermline: Carnegie United Kingdom Trust, 1950. Pp. 460.)

The title of this book and the reputation of its author alike indicate that it is more than a psychological study of 102 delinquent youths sentenced to residence at an Approved School. It is, in fact, an ambitious attempt to outline diagnostic principles and methods, to establish specific causal factors or motives for delinquent conduct and at some points to indicate possible lines of treatment. It ends with a number of general reflections together with a fairly comprehensive account of the author's views on mental function, in other words, on human nature.

This being the case, it is important to examine with some care not only the introductory chapters in which Mr. Stott describes his approach to the problem, but his penultimate outline of psychological theories. For it is unfortunately true that even in so-called empirical studies, the author's conclusions usually end by corroborating and reinforcing his preconceptions. Mr. Stott's book is no exception. He maintains that his object is to fill 'a gap in our knowledge of delinquent behaviour'; that it is not enough to talk of broken homes, illegitimacy, tainted parents and the like; that we must know, for example, *why* boys from broken homes are more prone to delinquency than others. His efforts to close this gap end in the postulation of his five main motives, viz. (*a*) avoidance-excitement, (*b*) spite, retaliation and resentment against the parents, (*c*) delinquent attention, (*d*) wish to secure removal from home, and (*e*) inferiority compensation. To the student who is well versed in the literature of the subject these conclusions will come as something of an anti-climax, for not only do they repeat in slightly different phraseology views that have been frequently expressed for over twenty years, but they still leave us in the dark as to more fundamental motives. In other

words, despite an ample citation of clinical histories and of methods of interview, the gap is left unfilled. The ' why ' remains unanswered.

Yet it is difficult to see how Mr. Stott could have come to any other conclusions. In the first place, he elected to leave aside all current categories of abnormal behaviour and of mental disease and to start with naive observation (in the scientific sense) of the data. Now however poor an opinion the author may hold of psychiatric classifications, there was no need to blind himself to existing knowledge of the correlations between ' pathological delinquency ' and other types of mental disorder, and thereby deliberately to deprive himself of invaluable lines of approach to his own sectional problem. Indeed, it is part of the task of delinquency research to establish why, for instance, in one case mental stress may result in a neurosis, or psychosis, and why in another it ends in law-breaking. In any case, it is absurd to suppose that, even scientifically speaking, Mr. Stott was as naive in his approach as he would have us believe. His main thesis that ' delinquent breakdown is an escape from an emotional situation which, for the particular individual with the various conditionings of his background, becomes at least temporarily unbearable ' is only a logical derivative of his theories of mental stress, anxiety, desire for human relationships, inhibition and avoidance. Incidentally, it is a hypothesis which could equally well be and is, in fact, advanced to account for neurotic behaviour or, for that matter, for any form of human behaviour following, to use the language of the normal psychologists, conative stress.

Nor could we expect any formulations more explicit from an observer whose views on mental function are rooted for the most part in the ' conscious ' psychologies of the past and who achieves the feat of ignoring the contributions of those psychologists who have studied the operation in normal and abnormal mental life of the ' dynamic unconscious '. This is a neglect even more gross than his neglect of existing psychiatric information. When Mr. Stott does refer (rarely explicitly) to Freudian theories, it is either to misunderstand them or to deny their validity. Describing his favourite concept of ' avoidance ', for example, he says it is ' the " repression " of the vulgarized Freudian terminology '. Repression, he goes on, ' bears the taint of that cornucopia of fanciful and extravagant hypotheses which.frugal observers of the human mind would be well advised to hand over to students of queer religious and occult practises '. The author's concept of ' avoidance ' apparently is more frugal: ' it is a generalized description of what actually happens and nothing more '. If this is anything more than a *principii petitio* it simply means that Mr. Stott dislikes the working concept of unconscious mental structure and prefers his own working concepts based on his study of behaviour. This he is perfectly entitled to do; but he must not complain if the conclusions he draws by means of this approach are regarded as tame, superficial and unilluminating. Indeed, it is scarcely surprising to find that the author's ideas of repression include the common error of equating it with behaviouristic inhibition. Referring to one of his ' avoidance ' cases, Mr. Stott remarks, ' Bligh (the patient) did not look as if he had any repressions '. This, of course, indicates a tea-party misconception of repression. How, exactly, the unfortunate Bligh should have looked had he ' had repressions ' which, *ex hypothesi* of Mr. Stott, he had, and which, *ex hypothesi* of Freud, a perfectly normal Bligh, even a paragon Bligh, would in any case have had, is nowhere indicated. Here Mr. Stott has apparently confused frugality with avoidance.

With a background of this kind it is not surprising to find that, as the author

himself admits, every chapter contains assumptions, hypotheses, definitions and interpretations which could scarcely pass unchallenged by anyone qualified to do so: for naturally the general reader can only take on trust the accuracy of any investigator's principles and methods. To give only a few samples from his earlier chapters on 'avoidance': his conclusions are based on 'similarity of reaction rather than upon type of person'. Now this is the fundamental error of the descriptive psychologist; one which closes the door on a finer or deeper differentiation of human nature. His views of psychic stress are based on a theory of psychasthenia not very different from that of Janet. The hyperactivity often associated with lethargy which he regards as pathognomonic of delinquent avoidance, tells us nothing about either hyperactivity or lethargy and permits no distinction between the multifarious causes of these reactions, including in particular cyclothymic mechanisms. Incidentally, the author confuses hysterical dramatization and fabrication with psychotic tendencies. Describing under the caption of 'parental ill-health' the case of Bligh, already noted, he indicates the importance of the mother's pregnancies without apparently having the remotest idea of the profound psychological significance underlying such stimulating experiences. His definition of psychopathy is that of emotional instability only and apparently includes the psychoneuroses and psychoses. Ties are regarded as 'hasty substitutes called in to bar the avoided thought from consciousness' — a complete misunderstanding of their actual nature. Finally, it may be noted that the word 'conscience' has one reference only in the index and 'guilt' only nine, mostly descriptive, references, surely a record of understatement in a book purporting to deal with the human nature of delinquents.

All this notwithstanding, it is a pleasure to put on record the virtues of the Report. Considered on its actual merits as a descriptive study of an Approved School Group, for that is all it is or has any title to be, it is above the average. In the first place, apart from those occasions when the author, despite his assumption of naive empirical detachment, decides to look below the surface for what he thinks may exist there, he allows the cases to speak for themselves. In this respect the book belongs to the same category as the Case-Histories of Karpman (noticed in No. 1 of this Journal), although to be sure his methods of approach do not result in the richness of detail achieved by Karpman. It can therefore be recommended for general reading by those whose interest in delinquency is hampered by lack of clinical experience.

Secondly, the author deserves credit for having rediscovered and singled out these factors which, although already familiar to experienced workers, cannot be too often emphasized. His chapter headings alone are adequate evidence of this, e.g. parental ill-health, parental quarrels, desertion threats and inferiority, estrangement from parents, evacuation, feared desertion, death or separation of parents, unwanted or abandoned during childhood, favouritism and jealousy, broken homes and step-parents. Clearly, Mr. Stott has grasped the importance in mental disorder of early object-relations; and had he only condescended to use what has already been discovered regarding these matters during fifty years of psycho-analytical and psychiatric investigation, he might presumably have done something himself to close the gap of which he complains in his introduction. But he did not; consequently his obviously painstaking report falls under the heading of 'case-material suitable for the general worker in the field'.

EDWARD GLOVER.

# REVIEWS

CHILDREN WITH MENTAL AND PHYSICAL HANDICAPS. By J. E. Wallace Wallin, Ph.D. (New York and London: Staples Press Ltd., 1950. Pp. x + 549. Price 42*s*.)

Few people can claim to have had as long and intimate experience with the problems of mental deficiency as Dr. Wallin. His name has been well known in this country for some thirty years as a psychologist who has done pioneer work in this field. It is satisfactory that he has now been able to put together his knowledge in the form of a textbook, so that his experience can be shared by all students of the subject. In the United States the distinction between the spheres of activity of medically-trained psychiatrists and non-medical psychologists has never been so rigid as in this country. Until recently, psychologists in England found it extremely difficult to obtain access to pathological material. Their views on psychiatry and mental deficiency were regarded with contempt by medically trained specialists. Dr. Wallin approaches the subject of mental deficiency as a non-medical psychologist. He does not claim in any way to usurp the functions of the psychiatrist but he shows clearly what an excellent knowledge of the medical side of the work can be obtained by a shrewd lay observer. He also has many lessons to teach to clinicians on the educational aspect of the subject.

The title of the book, by including mental and physical handicaps, indicates two aspects of what is in reality one subject. Mental and physical defects are inseparable and the popular idea, that mental disability is disgraceful in a way which physical disability is not, is thus shown to be absurd. The term ' handicap ' instead of ' defect ' also helps to remove irrational stigmata. Moreover, in order to understand the different clinical types of mental defect, a great many physical diseases must be studied which, like blindness, paralysis and endocrine disorder, are sometimes, though by no means always, associated with intellectual impairment.

The approach to the subject in this book is a highly critical one. So far as possible all relevant facts are presented to the reader, and arguments for and against the different views which have been held by different writers are presented. Quite rightly, a large amount of space is devoted to the variable definitions of mental defect. We should be quite clear on what grounds we call any individual feeble-minded. The weaknesses of the methods of psychological testing and of social evaluation are exposed. Dr. Wallin makes clear the importance and general usefulness of the educational criterion, which has often been neglected. The view that mental dullness necessarily implies anti-social tendencies is rejected. Much of the misbehaviour of backward children in school is attributed to their lack of interest in the standard curriculum.

In the analysis of clinical types, the grouping of diseases into endocrine disturbances, metabolic disorders, epilepsy and so on seems to be as logical as any yet used and should be helpful to the student. A criticism of the arrangement of the book, however, may be made; it is broken up into too many small sections and the references interspersed in the text are repeated again and again. The volume is large and heavy and it would have saved a lot of space if all references had been collected together at the end of the book or, at least, at the ends of chapters.

Apart from writing a valuable textbook on mental deficiency stripped of 'medical minutiæ', as the author calls them, Dr. Wallin has done service to the mentally handicapped patients themselves by his presentation of the subject in a sane and humanitarian spirit. His caution about accepting catch phrases about etiology, whether they come from clinicians, psychiatrists or geneticists, is praiseworthy and his recommendations for training and education are well balanced and authoritative.

L. S. Penrose.

Ask the Children. By. Lieut.-Colonel Ford Thomson, M.B., Ch.B., I.M.S. (Retd.). (London: Cassell & Co. Ltd., 1950. Pp. 288. Price 15*s*.)

Colonel Ford Thomson's child psychology, so highly esteemed in Madras, owes little or nothing to modern discoveries in this field. Academic psychology supplies the background against which he displays the original ideas drawn from his experience in the character-formation of the young; and this book perhaps might have called for no particular remark but for the author's preoccupation with a 'training agent' now often thought of as obsolescent: he is an enthusiastic advocate of corporal punishment for children; that is, apparently, for all children. The System, tried out with 'startling' success on juvenile delinquents in Madras, is recommended as equally beneficial to the average child of well-to-do British parents. Not but that he, too, is probably thievish; or perhaps he forgets to put on his raincoat; but this is not really to the purpose: if juvenile crime did not exist, it would be necessary to invent it: without something of the sort we could hardly have corporal punishment; and it is, we think, much less with the demerits of the child than with the merits of corporal punishment that Colonel Ford Thomson concerns himself. To be more precise: he seems devoted to the idea of 'spanking' as something intrinsically good, something essential not only to successful character-training but to the existence of a sound and happy adult-child relationship in the home and elsewhere.

Colonel Ford Thomson is not unaware of modern ('psychological') objections to spanking; but he takes them in his stride. The danger of 'sexual perversion', for instance, though not actually dismissed as an invention of the Freudians, is found to be negligible—provided always that the spanker and the spanked are not of opposite sexes. 'Humanistic' murmurings are soon dealt with: pain is not (biologically considered) an evil; and spanking is not, anyway, unduly painful (much less dangerous). Mental punishment, it is shown, is either too severe or not severe enough.

The foundations of Colonel Ford Thomson's System rest on the discovery, perhaps his main contribution to child psychology, that the child, approached with friendly warmth, can be got to agree spontaneously to almost anything. When a father has 'decided to adopt this system of training', it is first of all necessary to have 'long, full and frank discussions with the child', at the conclusion of which 'the child always reaches the decision that punishment is necessary'.

Next comes the joint formation of a Law, which 'assigns' a definite punishment of so many strokes on the buttocks 'for certain specified offences', classified in order of gravity. 'Only offences against the Law will be subject to punishment.' The Law is indeed liable to expansion, on various pretexts, but the child is to

regard it as largely a protection (against Dad, apparently). Both parties are equally bound by the Law: if Dad breaks a rule, Dad has to apologize. The child accordingly, must understand that when he is spanked he is spanked in compliance with his own orders, which Dad must obey; actually Dad has no choice in the matter. This final absurdity is, of course, accepted like the rest, and life proceeds in a happy routine of law-making, law-breaking and 'law classes': confessions and spankings being reserved for the evening treat.

W. M. GEDDES.

SEARCHLIGHTS ON DELINQUENCY. New Psycho-analytic Studies. Edited by K. R. Eisler, M.D., Ph.D., and Paul Federn, M.D. (London: Imago Publishing Co. 1949. Pp. 300. Price 30*s*.)

August Aichhorn, on his seventieth birthday, could justly have been called the doyen of the psycho-analytic study of Delinquency. Both his young patients, as well as his pupils and colleagues will appreciate this substantial dedicatory volume of essays.

Even in psycho-analysis there could never be, except in rare cases, a direct approach to the understanding of the delinquent's behaviour or to his personality structure. In the neurotic the patient is on the whole at war with himself and in his suffering throws himself at the feet of the physician first for self understanding and secondly, or perhaps simultaneously, for love in the transference sense. The delinquent, however, is at war on two fronts. Rejected by himself, he is rejected and hounded by society. His defences are twofold in consequence. He fights with guilt; he attacks with anti-social resentment. As Hoffer states, he is a deceiver. He is also a scapegoat and a symbol. He has his own distorted ideals.

Although there is a common thread running through this collection of essays, born of a unifying psycho-analytic attitude and training, there is no systematic unity in presentation and therefore each essay deserves consideration on its own merits in view of individual variations in interpretations as well as in methods of handling. Nevertheless, it would not be doing the volume an injustice to select certain salient contributions and the merits and demerits they present.

Anna Freud states that it is impossible to assign the terms asocial to the emotional upsets of childhood while the young subject is still in the throes of reality testing, identification, and introjection. How rightly does she stress the transference of the family situation upon the world at large, particularly unhappy where the Œdipus situation remains unsolved. In a large measure, the crucial disturbances of childhood in the transition from home to society are not dissimilar to the acting out processes while the adult is still in the toils of analysis.

Dr. Kate Friedlander, whose death is such a loss to Child Psychiatry, discusses Latent Delinquency and Ego Development. Most clinicians have become intrigued by the transition from mild neurosis and behaviour disorder to an anti-social behaviour. Friedlander puts forward her theory of emergence of anti-social character. The need for stable mother-child relationships in the first three years has been widely stressed and has received statistical confirmation in its relations to delinquencies. By then the child should have developed powers of controlling the tensions of primitive demands. When early education has failed, the faulty resolution of the œdipus impasse follows from a poor ego control of impulse and dependence on pleasure. Identifications by internalization and de-

sexualization give chances to the consolidation of an adequate super-ego with the capacity for renunciation and all the forms of sublimation which work in and through a social life. Yet this explanation does not give as a sufficient clue to the choice of delinquency or neurosis, or what is more difficult to understand the co-existence of both.

The social structure and the moves and morale of the family seem to be insufficiently stressed. Indeed, this seems to be the unsatisfying character of most of the contributions to this problem of psychodynamics. What does stand out in these essays is the appreciation of the technique of handling. All writers emphasize the outstanding difference between treating the delinquent and treating the neurotic. The latter, it is true, is cured by transference relations, elucidated, interpreted and resolved. But while the interpersonal relationship in treatment of delinquents is central it is also unique.

Indeed, it is so unique as to imply a special technique of acceptance, a more unwearying patience, a close empathy. This is strikingly exhibited in Dr. Schmideberg's essay in which her personal relations alone can explain her outstanding successes with major adult offenders. Her willingness to accept the offender as a person, to tolerate his intolerance and to rest patient with every recession seems to be the great measure of her success. Indeed, the rapport is so personal that the dynamic situation is never wholly clear.

Of the many problems raised, dynamic, social, anthropological, a much fuller critique could be written which would illustrate where psycho-analysis has floodlit this subject and where it has shown up its own lacunæ which further studies will fill up.

English readers will not only be stimulated and instructed by the varied American contributions, but they will be grateful to see their own work described and appraised in Dr. Edward Glover's survey of the work done in England from 1912 to 1948.

While the volume should appeal to a very wide public, its largely technical psycho-analytic articles will narrow this public down to those who are trained in psycho-analytic theory and method. But Dr. Eisler meets this defect in some degree by a clear exposition of the general problems of delinquency in the opening pages.

E. M.

THE PSYCHO-ANALYTIC READER. Edited by Robert Fliess, M.D. (London: Hogarth Press. 1950. Pp. 358. Price 18*s*.)

This is an anthology of papers of varying length which for one reason or another are not accessible to the general reader. Of prime interest to the student of delinquency is an article by the late Karl Abraham, of Berlin, entitled 'The History of an Imposter'. Written in 1925, it describes how a chronic psychopathic criminal made an unexpected recovery following marriage to a mother-type who apparently compensated him for a loveless childhood. Psycho-analytical contributions to delinquency have usually been by-products of investigation in other fields; this article is one of the few early psycho-analytical studies of the subject made at first hand. Its bearing on the treatment of criminal psychopathy is therefore of historical as well as of practical importance.

Two papers on transvestism and fetishism respectively, together with a collec-

tion of articles on female sexuality and pregenital development, are relevant to the study of sexual offences. The inclusion of Wilhelm Reich's papers on the genital character is less happy, and the views expressed in this particular section should not be taken as authoritative.

Otherwise the book suffers from defects common to most anthologies; its range is too wide and the value of the contributions unequal. Also it presupposes a good deal of psycho-analytical orientation.

E. G.

THE PRACTICE OF SEX EDUCATION. By Eustace Chesser and Zoe Dawe. (London: Hutchinson Medical Publications, 1949. Pp. 157. Price 10*s.* 6*d.*)
SEXUAL BEHAVIOUR. By Eustace Chesser. (*Ibid.*, 1950. Pp. 220. Price 21*s.*)

(1) The first part of this book consists of a description of the physiology and psychology (all too little of the latter) of sex, and discusses sex education in relation to the child, the parent, the teachers and the school; it is by Dr. Chesser. The second part, by Zoe Dawe, consists of what is intended to be taken as a basis for lectures on biology with special reference to sex education. Both parts are excellently written, and the recognition that sexuality should be studied as a part of biology as a whole and not in isolation is to be commended. Perhaps its greatest use would be for teachers called upon to give sex education in schools.

(2) The second book on sexual behaviour is on more ambitious lines; indeed, its approach appears to us novel in that it deals with such subjects as the influence of Christianity and of Judaism on sex problems; and the changed outlook in sex resulting from woman's changing economic situation. The latter part of the book, dealing with sexual deviations, is perhaps less original but it is refreshingly written. Most people would agree with the author in condemning St. Paul's attitude towards sex in marriage, but the unprejudiced reader might have wished that in doing so he had laid a little more emphasis on the attitude of the Founder of Christianity, that a man 'should leave father and mother and cleave to his wife, and they shall become one *flesh*'. But was it the author or the compositor who (in the description of St. Paul's uncharitable attitude towards marriage) misquotes him as saying 'and now *abolish* (instead of abideth) faith, hope and charity—these three!' And did it occur to the author that when Abraham left his wife on the night of his marriage, it may have been, not because of St. Paul's teaching, but for the reason that leads some men nowadays to do the same thing and even commit suicide; or that when St. Mary roamed the desert naked and black with filth, it may have been not as a result of Christian teaching but the result of agitated melancholia?

J. A. HADFIELD.

CHILDREN IN CONFLICT. By Madeleine L. Rambert. (New York: International Universities Press. 1949. Pp. 214. Price $3.25.)

Mlle. Rambert's book embodies her twelve years' experience as a psycho-analyst. It includes a foreword by Piaget, with whom she has studied and whose influence is discernible both in her approach to her subject and in many of her conclusions.

The author's individual contribution to the field of Child Psychotherapy consists in a special technique of play with puppets. These are made to represent

the parents and rival siblings, also such characters as the Policeman, the Witch, the Devil, etc. Through the manipulation of these glove-puppets the child, and more especially the young child between the ages of five and nine years, is, the author maintains, able to give free expression to his feelings, act out his most primitive levels of fantasy, relieve his conflicts and play them out by means of symbolic miming; he is at the same time the principal actor and the director. The analyst is one of the actors participating in the drama and changes rôles as often as is necessary.

Mlle. Rambert takes a far more active part in the proceedings than is usual with many practitioners in this country. She says: 'The rôle of the Child Analyst is therefore essentially an active one. She must participate in the game itself. She must understand the child, invite reactions, come forward with suggestions and responses, put to rights the child's experience and yet, at the same time —and this is essential —she opposes a superego to the child's instinctive tendencies. She puts a check on them, and regulates once again the proportion between instinctive pleasures and the limits imposed by society upon them.'

After she has made her initial contact with her child patient, Mlle. Rambert is able to form her preliminary diagnosis or hypothesis as to the structure of the neurosis. As the play develops, the various stages of the Œdipus Complex are acted out with all their attendant guilt and aggression, and later still she herself takes a bigger part in the proceedings, encouraging her patients to abreact their conflicts and finally to resolve them via the transference situation.

Whatever differences of opinion may exist regarding the author's theory and practice of child therapy, the book is worth reading by students of delinquency, if only for the case-histories which illustrate a variety of behaviour disorders and demonstrate the importance of unconscious ambivalence in the anti-social conduct of both adult and child.

JOAN WARBURG.

VARIETIES OF DELINQUENT YOUTH. An Introduction to Constitutional Psychiatry by William H. Sheldon, M.D. (New York: Harper Bros. 1949. Pp. 898. Price $8.)

Dr. Sheldon's name has for long been associated with the problem of constitution and he belongs to the now long line of physicians who attributed to constitution the foundation for predisposition to disease. Bauer and Draper had related constitution to the systemic diseases, and Kretschmer had gone far in establishing the relation of physique to mental disorder and indeed to character.

Methods for standardising types have had many pitfalls and Kretschmer was followed by many who tried by testing out many indices of body proportions which would be closer to the growth potentials of the organism. Sheldon has devised a complex photographic method of assessment which he has correlated with certain morphological features which have relation to the basic morphogenetic layers in the embryo.

In this volume he relates his mental types to these morphological types in relation to Delinquency. This was done some years ago by Willemse. Sheldon's study is very thorough and has most detailed case studies. Nevertheless, although the morphological inspection is detailed the case history is purely clinical and has

little psychological subtlety. In this respect the correlation is very sketchy and is put over too frequently with an air of facetious contempt for those detailed psychological studies which can alone get us to the heart of Delinquency as a psychosocial issue.

The number of cases with constitutional peculiarities is small mainly because we do not yet know what are the factors let alone the forces which produce the varieties of constitution. It is not surprising, however, that sexual delinquents have demonstrable peculiarities of physique.

E. M.

Fundamentals of Psychiatry. By Edward A. Strecker, M.D., Sc.D., F.A.C.P. (London: Medical Publications Ltd. 1949. Pp. 192. Price 12*s.* 6*d.* net.)

This little book is dedicated to ' All those Physicians whether in the Armed Forces or in Civilian Life . . .', and the presentation carries the stamp of ' War Psychiatry ' throughout. It is the author's intention, as stated in the preface, to supply the need for ' a workable knowledge of Psychiatry briefly and concisely ' for doctors and students alike. This in itself is a doubtful proposition, and the aim is the less likely to be achieved in 192 pages since much space is taken up by a chapter on Nursing, two on ' Methods of Examination and Symptoms ' and one on ' The Importance and the Opportunities of Psychiatry '.

The uninitiated will be unduly impressed by the achievements of present-day psychiatry and are likely to be left without full appreciation of its problems and complexities.

There is no mention of anti-social or delinquent behaviour.

Ida Macalpine.

Indian Conference of Social Work. United Provinces Branch Lucknow. Section III: Prevention of Crime and Treatment of Offenders. (Published by the U.P. Jails Association, Jail Training School, Lucknow. 1949. Pp. 84.)

The Indian Conference of Social Work had its first session at Lucknow in March, 1949. This is the report on the proceedings of its section on Crime, held under the chairmanship of the well-known Indian penologist, Colonel G. R. Oberai, Inspector-General of Prisons, U.P. Oberai himself gives a brief general survey of the development of penological thought with special reference to the work of the six All-India Jail Committees sitting between 1836 and 1919–20. Attention is drawn to the pioneering spirit of the U.P. Government and to the appointment of the 1946 U.P. Jail Reform Committee. Addresses on Borstal, Child Guidance Clinic preventive work, on Training and other subjects follow, and it is interesting to note that at the Jail Training School at Lucknow, so far the only one in the whole of India, a whole-time lectureship in Criminology and Penology and one in Psychology were established in 1944; that the School possesses a special library with over 2,000 books in these and allied subjects and a psychological laboratory; and that training courses of nine months are run for officers and of four months for warders. Among the resolutions of the Conference is one in support of the establishment of an Institute of Criminology and Penology and of a Bureau of Criminal Statistics.

H. M.

Correction : In our review (No. 1) of an advance copy of 'Society and its Criminals', by Paul Reiwald, reference was made to its publication in paper covers. Actually the book is attractively produced in stiff boards by Wm. Heinemann, to whom we express our regret for the reviewer's misapprehension.

# ABSTRACTS

(under the direction of W. R. Bett (London).)

E. Lewis-Faning: 'Crimes of Violence.' *Lancet* (April 22), 1950, *i*, 782–3. (Correspondence.)

A diagram gives a graphic picture of the course of events between 1864 and 1948, during which period courts could order corporal punishment to male adults found guilty of 'robbery with personal violence'. The volume of robbery with violence steadily declined from 140 crimes per million of the male population (aged 15–54) in 1868, to 10·4 per million in 1915. During the first world war the figure rose to a peak of 21 in 1917, and after the war to 23 per million in 1921, declining to 10 in 1927. In 1933 flogging was ordered for 66 per cent. of the convictions for robbery with violence. The number of floggings in relation to the estimated convictions is of doubtful accuracy for the war period. The flogging rates for 1946, 1947, and 1948 of 11, 16 and 7 per cent. of convictions conform to the pattern for the earlier part of the century which indicates that the amount of flogging ordered was independent of the volume of crime in the country.

'Crimes of Violence.' *Lancet* (April 8), 1950, *i*, 673–4. (Leading Article.)

A report produced in 1939 by E. Lewis-Faning (*Journal of the Royal Statistical Society*, 1939, **102**, 565) is referred to, with its statistical examination of the evidence on which the Departmental Committee on Corporal Punishment based their opinion that flogging can be justified only (*a*) if a sentence of imprisonment or penal servitude combined with corporal punishment operates more effectively as a deterrent than a sentence of imprisonment or of penal servitude alone: and (*b*) if, for some classes of offence sentences of imprisonment or penal servitude are so ineffective as deterrents that it is necessary to add a further penalty containing an exceptional element of deterrence.

The evidence suggests that corporal punishment is worthless as a deterrent and dangerous as a corrective. More effective methods of protecting society are needed. An adequate police force would be a good start.

K. Fantl *et al.*: 'Vocational Counselling in the Rehabilitation of Disturbed and Delinquent Boys.' *Mental Hygiene*, 1949, **33**, 615–28.

Vocational counselling at Bellevue Hospital Psychiatric Division, New York City, helps to gain the confidence of many boys and makes the initiation of psychotherapy possible. Best result are obtained with neurotic boys.

G. A. Foulds: 'Characteristic Projection Test Responses of a Group of Defective Delinquents.' *British Journal of Psychology* (*General Section*), (March), 1950, **40**, 124–7.

A comparison of normal and abnormal systems of thought in children, as assessed by the Controlled Projection Tests, may be valuable clinically in individual cases. The test is also useful for the picture it gives of the interaction of selected homogeneous groups with local culture patterns.

R. HENNICKER: 'Delinquency Among Female Adolescents Before and After the Second World War.' *International Journal of Sexology* (May), 1950, **3**, 247–8.

A comparative investigation is reported of 103 and 112 girls respectively of over school age admitted to Homes for corrective education in the province of Schleswig-Holstein in 1938 and in 1946. Loss of parents, loss of home, and general laxity of morals during the war played a large rôle in the ætiology of delinquency. There was a drop in promiscuity in the 1946 group, compared with the 1938, but new types of offences appeared in the former, directly attributable to the war, and a rise in the incidence of venereal infections.

G. E. GARDNER: 'The Community and the Aggressive Child. The Expression of the Aggressive-Destructive Impulses in Juvenile-Delinquent Acts.' *Mental Hygiene*, 1949, **33**, 537–50.

The relationship is discussed of the juvenile-criminal act, particularly of an aggressive nature, to other acts of children called either normal or neurotic, and it is emphasized that the study of the delinquent act and of the delinquent youth can contribute to our knowledge of normal child behaviour and of the child's stages and phases of development.

'Cyprus's Prison Without Bars.' *Cyprus Review* (June), 1949, **5**, 12–3. (Seven figures.)

Panagra Camp, near Myrtou, is described as a 'prison without bars'—the first to be organized in Cyprus. Half the prisoners, working on a road project, sleep in tents, the other half in an Army hut. There are no bolts or bars, locks or keys. At the Athalassa Prison, near Nicosia, convicts, employed on the Government Stock Farm, are locked up in dormitories at night. For a number of years young offenders have been kept in this prison in order to separate them from adults. They are now being given lectures and instruction on agriculture, and educational and physical training.

W. F. ROPER: 'Crime and the Family.' *Biology and Human Affairs* (January), 1950, **15**, 133–40. (Four references.)

A number of surveys show that in all age groups, juvenile, adolescent, or adult, there is a strong association between criminality and a faulty home. The peak age for crime is thirteen years—an age when children are still under home tutelage. Frequently, especially in the better homes, the chief weight of the home defects falls on one member who alone becomes delinquent, being regarded as a black sheep by the others. From a criminogenic point of view, the most frequent mother is the indulgent one, but the dominant mother also appears. The most sinister type of mother is the rejective one, while the most sinister father is the self-righteous one with a strict moral code who resolves that his family shall be autocratically organized. Many children are so resilient that they can overcome their difficulties; others are so poorly endowed by Nature that they succumb. It is insufficient to treat offenders and potential offenders as individuals. The criminal is the product of a sick family just as the latter is the product and perpetuation of a sick society.

K. F. Schuessler and D. R. Cressey: ' Personality characteristics of criminals.' *American Journal of Sociology*, (March) 1950, **55**, 476–84. (Table; 31 references.)

The use of various objective personality tests in the last twenty-five years has done little towards establishing the personality components of criminal behaviour. Of 113 comparisons, only 42 per cent. showed non-criminals to be superior to criminals, while the remainder were indeterminate. The method does not indicate whether criminal behaviour is the result of a certain personality trait or whether the trait is the result of criminal experience. Answers given by prisoners to personality questionnaires may be affected by the prison situation. Prison experiments may produce personality changes.

Few experiments were so designed that comparisons could be made between criminals and non-criminals in regard to age, intelligence, and cultural background.

In future studies individuals should be classified by types of offence.

J. H. Conn: ' Brief Psychotherapy of the Sex Offender. A report of a liaison service between a court and a private psychiatrist.' *Journal of Clinical Psychopathology*, (October) 1949, **10**, 347–72. (Five tables; 4 references.)

Of twenty-three sex offenders referred during the years 1939–49, two were unsuited for psychotherapy and nineteen were treated successfully. These offenders are anxiety-ridden individuals whose sexual offences are attempts to free themselves from mounting tension by utilizing less complex, earlier, outmoded, but previously satisfying, sex patterns (regression).

They are accountable for their offences, but cannot be considered as responsible agents.

This report demonstrates that brief psychotherapy (one half hour once a week for six months to one year) is effective in the treatment of such offenders.

W. M. Burbury: ' The Principles and Practice of Psychological Therapy with Children.' *Medical Press*, (January 4) 1950, **223**, 5–8.

The child psychotherapist cannot expect active co-operation from his child patient, but has the advantage of dealing with a young, adaptable, growing personality in whom resistances are not yet fixed and patterns not yet stereotyped. The child is provided with toys and encouraged to play. Close observation of the play leads to appreciation of its pattern, when the work of interpretation may begin.

Interpretation must not be attempted too early or too dogmatically. Results of treatment depend on the severity of the condition, hereditary background, environment—particularly the immediate background of the home—and the child's personality, intellectual ability, and capacity to integrate himself and relate himself to his background.

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Studies in Mental Illness in the Gold Coast. By Geoffrey Tooth. Colonial Research Publications No. 6. (London: H.M. Stationery Office. 1950. Pp. 72. Price 2*s.* 6*d.* net.) Trypanosomiasis is a not uncommon cause of delinquency in children and crime in adults.

J. Euzière, *et al.*: ' Comportements agressifs chez la fillette et l'adolescente. De la réaction mineure à la délinquance.' *Pédiatrie*, 1950, **39** ann., t. **5**, No. 3, 307–41. (Fifteen case-reports; English summary; nine references.)

M. Bergeron, *et al.*: ' Deux ans de fonctionnement d'un centre d'observation pour vagabonds juvéniles.' *Annales Médico-Psychologiques*, (May) 1950, **108** ann., t. **1**, 612–5. (Discussion; eight references.)

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C. Kohler: ' Réflexions sur la fugue et le vagabondage chez l'enfant et l'adolescent.' *Pédiatrie*, 1950, **39** ann., t. **5**, No. 3, 343–57. (English summary.)

' Children and the Cinema.' *Nature*, (July 1) 1950, **166**, 1–2. (Three references.)

B. Karpman, *et al.*: ' The psychopathic Delinquent Child. Round Table, 1949.' *American Journal of Orthopsychiatry*, (April) 1950, **20**, 223–65.

R. W. Coltharp and G. H. Weber: ' The Kansas Boys' Industrial School Treatment Program.' *Bulletin of the Menninger Clinic*, (May) 1950, **14**, 102–7. (Case report; summary.)

O. C. M. Davis: ' Some Aspects of Suicide—2.' *Medical Press*, (May 31) 1950, **223**, 519–24.

P. Male: ' Notions actuelles sur les troubles psychiques de l'adolescence et sur la délinquance juvénile.' *Semaine des Hôpitaux de Paris*, (June 26) 1950, **26**, 2261–6.

W. R. B.

# NOTES

## The Twelfth International Penal and Penitentiary Congress

The Twelfth International Penal and Penitentiary Congress met from August 14 to 19 at the Hague. The historic buildings of the ' Binnenhof ', where the States General had assembled for centuries, were a magnificent setting for the sessions of the congress. Much preparatory work had been done in advance. For the twelve questions put before the usual four sections of the congress 134 printed papers were provided from sixteen countries, and the results of these papers were summarized and tentative conclusions submitted by single rapporteurs for each question. Mr. Sanford Bates, who had been responsible for many reforms in the U.S. federal prison system, presided over the congress. American criminology was represented by a strong team with Mr. James Bennett, Director of the Federal Bureau of Prisons, Professor and Mrs. Glueck, Professors Thorsten Sellin and Walter Reckless, and Dr. D. Abrahamsen, prison psychiatrist of Sing-Sing, to mention only a few. There was nothing revolutionary in the resolutions and recommendations of the congress, nor was there any serious clash of opinions in a matter of principle. A French proposal (M. Cannat) to abolish all prison sentences of less than one year met with overwhelming opposition. A mild

rebellion arose against too much complacency in the treatment of juvenile delinquents. On the whole, the congress offered a fair cross-section of present-day penal methods. Many ideas raised and developed in the recent past seemed to be accepted and worked out in practice by a growing number of criminologists and penal administrators in many countries.

There was a good deal of uncontroversial matter on the agenda: appropriate 'relatively indeterminate' measures against habitual criminals, the resort to 'open' prisons for which the congress suggested detailed principles, and the extension of psychiatric work beyond the mere diagnosis and treatment of genuine psychoses. With regard to other questions, differences in the various national legislations made it difficult to devise a unified solution. Personality studies and social enquiries before sentence were universally demanded, but their legal implications met with considerable difficulties from civil-law countries where there is no interval between the finding of guilt and the meting-out of the sentence. In the question of judicial or non-judicial authorities dealing with juvenile delinquents the resolution evaded the issue and left the alternative open: this seems to suggest that the choice had been fifty years ago when England and almost the whole European Continent accepted and developed the American idea of a Juvenile Court. While Continental lawyers were anxious to uphold certain legal guarantees against the abuse of a wide, even if well-intended, administrative discretion, speakers from the U.S.A. wanted to see the offender's destiny after adjudication in the hands of correctional authorities. There were therefore divergent views on such questions as to whether psychological examination should depend on the defendant's consent, or whether the final duration of an indeterminate detention should be decided by a court of law.

In all these questions there was much fruitful exchange of views. Even more important was the fact that certain common ideas emerged from almost every discussion. Many speakers stressed the point that our present knowledge is insufficient, that we should experiment with classification of offenders and differentiation of treatment, and control the new experience by systematic follow-up studies, that we need fresh efforts for the study of criminal behaviour as well as a determined approach to treatment research. A concerted effort in these directions would indeed be more important than the official recommendations passed on such perpetual questions as substitutes for short prison terms, useful prison labour and its remuneration, and conditional release. One learnt by personal contacts that a good deal of empiric criminological research is going on in France, Holland, Switzerland, U.S.A., and other countries, but much remains still to be done to build up a true international study of crime and its treatment.

The congress in The Hague will be the last of its kind. In his opening address, the Secretary-General of the International Penal and Penitentiary Commission announced that the whole work will be integrated into the corresponding organization of the United Nations. Thus a noble history of seventy-eight years has come to a close. It seems significant that at a time when regular inter-state co-operation was far less organized than to-day, Penology had an International of its own. This fact gave a certain prominence to the case of prison reform so often pushed into the background by other, more spectacular and attractive causes. We must hope that the new organization will maintain the tradition of uniting Government representatives and independent experts from all countries for personal contacts and free discussion.

M. GRÜNHUT, Oxford.

## I.S.T.D. Summer School, 1950

The first Summer School on juvenile delinquency organised by the I.S.T.D. took place at High Leigh, Hoddesdon, from August 12 to 18, 1950, and was attended by more than seventy delegates who represented between them the many professional disciplines which are concerned with delinquency. The opportunity which the School afforded for the pooling of knowledge and for the exchange of ideas was very greatly appreciated, and there was throughout an atmosphere of friendly interest in the points of view of other people working in different, though related fields. This was due in large part to the contributions made by the visiting lecturers, all of whom were generous in the communication of their scholarship, wit and wisdom to the delegates. They, in their turn, contributed much by their readiness to discuss, both formally and informally, as well as by the challenging comments they made based on their own practical experience.

The theme of the Summer School, stated by Dr. Pearce as ' Why Delinquency? ' was taken up in turn by Dr. D. H. Stott, Dr. Hadfield, Dr. Peter Scott, Dr. Torrie, Dr. Emanuel Miller, Mrs. Vesta Gill, Dr. Hermann Mannheim and Dr. Edward Glover. In planning a time-table some principle of selection has to be adopted and it is obvious from the list of lecturers that the planners had decided to place the emphasis on the psychological and psychiatric aspects of delinquency rather than on the sociological and ethical side. Beginning with environmental influences, the School went on to consider character and character formation, intelligence and temperament, environmental treatment and community therapy, mental and physical diseases, and legal problems, all as they related to delinquency; the last day was devoted to discussion of treatment and prevention and to drawing out conclusions which had emerged during the week, with a view to encouraging further study.

Research of all kinds—operational research, action research, academic research and experiment—was much discussed. Two themes recurred throughout the week; first, the need for more knowledge concerning delinquency and delinquents, also concerning ' normal ' families; and, second, the need for co-ordination and more fruitful use of the knowledge we already have. Much discussion also arose regarding the problem of communication, the difficulty of bridging the gulf between those whose approach is mainly theoretical or academic and those whose approach is of necessity practical. The need for permanent machinery for pooling information was emphasized. The Summer School was itself something of an experiment in communication; the opportunity it gave to probation officers, magistrates, doctors, psychologists, children's officers, psychiatric social workers, Approved School staff and University lecturers to meet each other and exchange points of view was valuable in promoting greater understanding and in increasing knowledge. On the one hand, the encouragement given to field workers to use their opportunities for making observations and deductions and to publish their results, and, on the other, the practical suggestions made by the field workers for achieving continuity of record keeping and co-ordination of knowledge, are evidence that the experiment is likely to have quite tangible results.

It was manifestly impossible to hold useful discussion sessions in one group

of more than seventy people; it was therefore decided to divide the School into five groups of about fifteen and to give each group a leader. In addition to the host (Mr. Spencer) and the hostess (Miss Shaw) these were: Dr. Grygier, Dr. D. H. Stott and Miss M. Browne. Dr. Grygier's group was later taken over by Mr. Kay. For the purposes of this Summer School it was agreed that groups should be ' multi-disciplined ' and this had undoubted advantages. But it might be fruitful at future Schools to allow time also for specialist groups to meet. The need for this was evidenced when Dr. Mannheim held an unprogrammed discussion group for those engaged in, or about to undertake, research in delinquency. The groups found it more profitable to follow up their own lines of interest than to concentrate on the outlines of researches that had been previously distributed; by so doing they arrived at some useful suggestions for further study, and experienced something more nearly approaching a synthesis of the diverse viewpoints presented to them.

Of the various subjects recommended by discussion groups as suitable for extended researches the following appeared to be the most important:

(*a*) The relation to delinquency of rejection by the mother who goes out to work.

(*b*) The effect of rejection of children by parents who want to be relieved of them by Children's Officer: does persuading the parents to keep children entail a risk of the latter becoming delinquent?

(*c*) The relation of early separation of mother and child to psychoneurotic types of delinquency.

(*d*) The effect of institutionalization of the child during the pre-delinquent phase: does it make later efforts at reformation more difficult or impossible?

(*e*) Subnormality and delinquency: the value of studies by Child Guidance Clinics of parental attitudes in such cases.

(*f*) The attitudes of parents and neighbours towards delinquent and subnormal children; correlation of these attitudes.

(*g*) The problem of repeaters in Approved Schools: the rationale of Approved School committals and the nature of treatment, especially as regards freedom and discipline.

(*h*) The use of case records: the need for a record that will be sufficiently standardized to be used for research.

L. A. Shaw.

## The Treatment of Neurotic and Psychopathic Offenders

The Home Secretary's Advisory Council on the Treatment of Offenders has recently issued a Statement containing a number of important recommendations for the institutional treatment of offenders who, though neither insane nor mentally deficient, are nevertheless mentally abnormal. The Statement is reproduced in full in the *Lancet* of June 17, 1950, pp. 1123–5, and p. 1120 of the same number contains an editorial note on it.

The Council, not being concerned with insane offenders, refrains from making any suggestions for the reform of the MacNaughten Rules which, it is stressed, would be ' most contentious '. The welcome recommendation is made, however, that the courts should be empowered to call for independent medical advice at

the public expense and also to commit offenders coming under the scope of the Rules to the special Institution recommended in the main body of the Statement.

As far as neurotic and psychopathic offenders are concerned, it appears to be the principal object of the Statement to suggest certain improvements in the handling of those members of this important group whose crimes are too serious to be dealt with under Section 4 of the Criminal Justice Act, 1948 (probation with requirement of mental treatment). The Council recognizes that neither the present sentencing system nor the facilities available within the prison system are suitable for this group. Sentences are often too short for effective treatment, and to impose, in the interest of treatment, longer sentences which would have to be served in ordinary prisons would be unfair to the offender and also fail to achieve its purpose. This has already been stressed in the Report on ' The Criminal Law and Sexual Offenders ' by the Joint Committee on Psychiatry and the Law (1949).

On the whole, the Council approves of the proposal made in the East-Hubert Report of 1939 to establish a special Institution for such offenders, but, quite rightly, it takes the view that a penal Institution within the prison system as envisaged by East-Hubert would neither meet the difficulties at present experienced by the courts nor remove the sense of frustration felt by the offender. It is therefore suggested in the Statement that the new Institution, although to be provided by the Home Office or the Prison Commission, should not be regarded as a specialized prison and should be as far as possible removed from the prison atmosphere. Sound as this seems in theory, it will be difficult to put into practice. Especially if the new Institution is to be provided by the Prison Commission it can hardly fail to become a glorified prison. It might be preferable, therefore, to place it under the direct supervision of the Home Secretary. The further recommendation that no committal to the new Institution should be made by the courts without the approval of the administration deserves every praise.

Regarding the length of the sentence, the Statement has already been criticized in the *Lancet* for its reluctance to adopt the system of the indeterminate sentence, and although opinion among experts is still sharply divided on this subject it is indeed difficult to see how an Institution of this kind could be successfully administered without a certain amount of flexibility. The Statement rejects the idea that the period of detention should in suitable cases be longer than the maximum ordinarily prescribed by the law for the particular offence. This seems to be mistaken, as in some cases these maxima are undoubtedly too short for treatment purposes. Legal maxima are indispensable, but they should allow adequate scope according to individual needs. Within the limits of the existing maxima, however, the Statement tries to provide a certain amount of flexibility by recommending that the Home Secretary or the Prison Commission should have discretion to release a prisoner ' when they are satisfied that he has obtained the maximum benefit from the treatment '.

As the Council suggests that information should be collected from certain European countries having special experience in the treatment of such offenders, it is to be hoped that as the result of such enquiries the need for a more flexible system will be fully recognized.

H. M.

# CORRESPONDENCE

*To the Editorial Board*

Sirs,—The specialist in forensic psychology cannot remind himself too often that his particular branch of science differs from other departments of medical psychology, and indeed from most natural sciences, in many important respects. Social factors, for example, play a much larger part in delinquent states than in clinical mental disorders such as the psychoneuroses, hence sociological criteria figure prominently in the diagnosis, prognosis and treatment of delinquency.

But the social valuation of any one crime is known to vary from period to period and from one culture to another. And in view of modern efforts to establish enlightened policies on an international basis, it does seem important to examine these variations with some care, otherwise there is a risk of confusion of international counsel. A policy that is regarded in one country as enlightened may in fact be deemed reactionary in another. It seems all the more reasonable therefore to enquire whether the penal measures, or for that matter the therapeutic measures, sanctioned and employed in different countries, exhibit any characteristic variations. In short, since in democratic countries the Law represents ultimately a consensus of social feeling, a comparison of penal methods offers an interesting approach to the investigation of differential racial characteristics.

To the sociologist with his techniques of statistical assessment based on conscious criteria, this may appear a comparatively simple issue to be settled mainly by the examination of cultural patterns. But for the dynamic psychologist, the whole question of differential racial characteristics is a quaking bog of uncertainty. Nevertheless, the issue cannot be ignored. It was raised in an interesting form on a recent occasion when a film sponsored by the Danish Government and directed by Dr. G. Stürup, the Medical Director of the psychopathic institution at Herstedvester, was shown in London under the joint auspices of the I.S.T.D. and the Howard League for Penal Reform. This dealt with the handling of a selected group of persistent psychopathic criminal and sexual offenders. Three points of socio-legal as well as psychological importance emerged: first, that the governing ideal in treatment is collective rather than individual, namely the need for social adjustment; second, that the patients are admitted on an indeterminate sentence; and third, that a considerable proportion, apparently well over 50 per cent., of the sexual offenders, were castrated. The majority of the sexual offences were committed against children, but significantly enough a number (15 per cent. of the total) of exhibitionists were included.

As far as the first point is concerned, it is clear that some difference of attitude must exist as between the sociologist and the psychologist. It is natural that the sociologist should have the health and interest of the community at heart, equally natural that the psychologist's concern should be with the treatment and mental integrity of the individual. The psychologist cannot of course afford to neglect social considerations any more than the sociologist can afford to neglect the criteria of individual psychology, but his primary concern is with the alleviation of the disorder of which delinquent conduct is only one symptom. His social interest is amply satisfied by his efforts to render the individual offender stable enough to accept reasonable social regulation. Beyond that point his professional writ does not run.

As for the indeterminate sentence and the treatment of chronic sex-offenders by castration, it is appropriate to quote here the opinion of Lord Justice Denning, who remarked on that occasion that whatever might be said for or against these two measures they were against the existing temper of the people of this country. Clearly the indeterminate sentence offends the sense of justice of those who, openly or secretly, believe in the virtue of punishment or that the offender should be allowed whenever possible to purge his offence; and, although they are doubtless ready to recognize the social argument that in the interest of public safety the persistent violent offender must be kept under supervision until he achieves self-control, penal reformers are not likely to be mollified by the psychiatrist's special plea that adequate treatment may be prejudiced by the imposition of a too short fixed sentence. The whole subject of the indeterminate

sentence, to say nothing of its congener, the ' psychiatric ' parole, bristles with difficulties. Whatever may be said in its favour by the psychiatrist or the sociologist, the practice of endowing the psychiatrist with judicial authority, for that in effect is what is implied by the regulation of imprisonment or parole in accordance with medical opinion, is open to the gravest question. Even on therapeutic grounds, the position of the psychiatrist exercising these powers is fundamentally false.

As for the treatment of sexual offenders by castration, this clearly is an issue that calls for objective and dispassionate examination. But until it has been so examined the method cannot be rated as scientific, indeed, in view of the anthropological evidence alone, is under strong suspicion of obscurantism. There is, in fact, good reason to enquire whether the practice is not of the same order as the mediæval custom of cutting off the hands of certain violent criminals, or, indeed, the habit of some latter-day parents of washing out their children's mouths with soap when they tell lies. Nor can it be only a coincidence that a well-defined group of apparently ' normal ' people are convinced that the appropriate punishment of any male sexual offender is castration. Even if it were clearly established that castration is scientific in the sense that it has acted as a therapeutic agent, it would not follow that practices of this sort have either a professional or an ethical justification. By the same argument we could justify thumb-screws. All of which brings us back to the point originally raised; namely, are the differences between the penal systems adopted in various countries purely superficial, or do they reflect important cultural differences (*a*) in the reaction to systems of punishment, (*b*) in the valuation of individual as distinct from social ' good '. It should be the combined task of the sociologist and the psychologist to investigate this problem and to make their conclusions widely known. Otherwise there is a risk that under the protective cover of scientific advancement some obscurantist ideas and practices may continue to flourish, as they did in more superstitious times; and, what is worse, be accepted and approved by well-meaning reformers who are not in a position to recognize their origin.

In view of the urgent importance and controversial nature of these matters, which, in fact, figure more and more prominently in the deliberations of international criminological conferences, I feel constrained to waive the privileges of my position as Co-Editor of this Journal and exercise those of a reader.

Yours, etc.,
EDWARD GLOVER, M.D.

London, W.1.

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